



European Asylum Support Office

# EASO Country of Origin Information Report Russian Federation The situation for Chechens in Russia



August 2018

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# EASO Country of Origin Information Report Russian Federation

## The situation for Chechens in Russia

August 2018

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## Disclaimer

This report was written according to the EASO COI Report Methodology (2012) <sup>(1)</sup>. The report is based on carefully selected sources of information. All sources used are referenced. To the extent possible and unless otherwise stated, all information presented, except for undisputed or obvious facts, has been cross-checked.

The information contained in this report has been researched, evaluated and analysed with utmost care. However, this document does not claim to be exhaustive. If a particular event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

'Refugee', 'risk' and similar terminology are used as a generic terminology and not as legally defined in the EU Asylum Acquis and the Geneva Convention.

Neither EASO nor any person acting on its behalf may be held responsible for the use which may be made of the information contained in this report.

The target users are asylum caseworkers, COI researchers, policymakers, and decision-making authorities.

The initial drafting of this report was finalised on 30 April 2018. Any event taking place after this date is not included in this report. More information on the reference period for this report can be found in the methodology section of the introduction.

It must be noted that the review carried out by the mentioned departments, experts or organisations contributes to the overall quality of the report, but does not necessarily imply their formal endorsement of the final report, which is the full responsibility of EASO.

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<sup>(1)</sup> The EASO methodology is largely based on the Common EU Guidelines for processing Country of Origin Information (COI), 2008, and can be downloaded from the EASO website: <http://www.easo.europa.eu>.



## Glossary and Abbreviations

<i>Adat</i>	Local customary practices and traditions observed by Islamic communities in the North Caucasus
Gosuslugi	The Public Services Portal of the Russian Federation
GUVM MVD RF	The Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (Glavnoe upravlenie po voprosam migracii Ministerstva vnutrennih del Rossijskoj Federacii, GUVM MVD Rossii / Главное управление по вопросам миграции Министерства внутренних дел Российской Федерации, ГУВМ МВД России)
JMG	Joint Mobile Group of Human Rights Defenders in Chechnya
MFC	Multifunctional Center
MVD	Ministry of Internal Affairs (Ministerstvo Vnutrennikh Del / Министерство внутренних дел)
RUB	Ruble
Sharia	Islamic law, a set of legal, moral, ethical, and religious prescriptions of Islam
<i>Teip</i>	Cell of the clan-related system in the Chechen society

## Introduction

This report was co-drafted by Country of Origin Information (COI) specialists from the COI units and asylum offices in the Czech Republic, Lithuania, and the Netherlands, as referred to in the Acknowledgements section.

The report provides an overview of the situation of Chechens living in Russia, outside of the North Caucasus. By examining the situation using a variety of sources and focusing on different topics such as legal requirements, the criminal justice system, socio-economic circumstances, and the role of the authorities, together with closer examination of the situation for a number of specific groups, including returnees, the aim is to present a coherent account of the current situation.

## Methodology

The terms of reference were determined at a meeting of the drafting team on 12 March 2018, taking into account input provided by members of the EASO COI Specialist Network on the Russian Federation.

The drafting period was initiated after the meeting and concluded on 30 April. No new research has been conducted after, although complementing information has been included after the peer review phase.

In order to ensure that the co-drafters respected the EASO COI Report Methodology, a review was carried out in May 2018 by COI Specialists from Austria, Belgium, Estonia, France, and Poland, also listed as reviewers in the Acknowledgements section. All comments made by the reviewers were taken into consideration and most of them were implemented in the final draft of this report.

Regarding transcription in the sources, the titles of Russian sources have been included in original, with an English translation in square brackets. The names of the authors have been translated when there is an established English version (for instance in the case of Russian authorities) of the name. In other cases, the Cyrillic text has been converted into Latin letters to ensure the bibliography is easy to navigate.

## Structure and use of this report

In the first chapter, an overview of the Chechen communities in Russia outside of the North Caucasus region is given, including the size and location of the communities and specific information on the largest communities.

In Chapter 2, legal requirements such as procedures for renewing internal passport, obtaining external passport, and registering for residence is examined from both a procedural and a practical perspective.

Chapter 3 includes four aspects of socio-economic circumstances: housing, education, work, and health care. Each section includes a subsection on how the topic intersects with residence registration, how the system works in Russia, and how specifically the access for Chechens is in each area.

In Chapter 4, the situation for the following profiles are presented: women, separated into single and married, LGBT persons, children, Chechens eligible for military service, and human rights activists and dissidents.

The criminal justice system is presented in Chapter 5 through the following subsections: treatment by police (including the subject of identity checks), criminal cases against Chechens,

reporting a crime, the complaints procedure, legal remedies, access to lawyers, and the rights to appeal.

In the sixth chapter, Chechen authorities' potential information exchange with Russian federal authorities is examined, as well as the role of the Chechen community in providing information to the Chechen authorities and the Chechen authorities' cooperation with the federal authorities.

In the last chapter, the reception of Chechens returnees is looked into.

# Map



Map 1: Russian Federation, ©United Nations (2).

(2) UN, Geospatial Information Section, Russian Federation, January 2004 ([url](#)).

# 1. General overview of the Chechen community in Russia (outside North Caucasus)

## 1.1 Demographic facts

According to the 2010 census, Chechens are one of seven nationalities in the Russian Federation with a population bigger than one million (1.43 million) <sup>(3)</sup>. The latest official figure, published on 1 April 2018 by the Chechen branch of the Russia's statistics-gathering agency (Rosstat), was 1 413 446 <sup>(4)</sup>.

A reduction in population growth in the Chechen republic in recent years has been observed. About 150 000 Chechens left the republic between 2008 to 2015, according to Rosstat and Chechenstat data, quoted by Russian news agency RBC <sup>(5)</sup>. As a rule, the departure rate of Chechens is far higher than the influx. This trend still persists. People are leaving for both other regions of the Russian Federation and abroad <sup>(6)</sup>.

According to human rights defenders and the media, causes of emigration from Chechnya include repression by authorities, economic reasons, blood feuds, lack of quality healthcare, domestic violence, and harassment for religious reasons <sup>(7)</sup>. According to a representative of the International Crisis Group, a lot of people in Chechnya are employed in the informal sector and many people go to work in other regions - to Moscow or to oil fields - and send money home <sup>(8)</sup>. Chechens, whose stories were published in December 2016 by the news site Meduza, said that they had been forced to flee Chechnya because of kinship with killed salafists, torture by the use of sexual violence and recorded in a video (later used for blackmail), inability to get paid for their work at a state enterprise, and rigid suppression of any kind of dissent <sup>(9)</sup>.

According to the sources of the fact-finding mission of the Danish Immigration Service in 2014, Chechen communities can be found all over Russia <sup>(10)</sup>. A Chechen governmental source has

<sup>(3)</sup> Federal State Statistics Service (Rosstat), Информационные материалы об окончательных итогах Всероссийской переписи населения 2010 года, Об итогах Всероссийской переписи населения 2010 года (презентация) [Information materials on the final results of the All-Russian Population Census 2010, On the Results of the All-Russian Population Census of 2010 (presentation)], n.d ([url](#)), slide 14.

<sup>(4)</sup> Territorial body of the Federal State Statistics Service for the Chechen Republic (The) (Chechenstat), Численность населения Чеченской Республики на 1 апреля 2018 года, [Population of the Chechen Republic, as of April 1, 2018], 28 May 2018 ([url](#)).

<sup>(5)</sup> RBC, Что изменилось в Чечне за 10 лет правления Рамзана Кадырова [What has changed in Chechnya during the 10 years of Ramzan Kadyrov's rule], 15 February 2017 ([url](#)).

<sup>(6)</sup> Kavkaz.Realii, Перепечатывается с разрешения Радио Свободная Европа / Радио Свобода, Прирост населения Чечни сокращается из года в год [Increment of the population of Chechnya is declining from year to year], 19 February 2017 ([url](#)).

<sup>(7)</sup> Legal dialogue, Чеченские беженцы в Европе: причины бегства из России и трудности получения статуса [Chechen refugees in Europe: the reasons for fleeing Russia and the difficulty in obtaining a status], 26 April 2017 ([url](#)); Caucasian Knot, Правозащитники: беженцы из Чечни стремятся в Германию из-за репрессий в республике [Human rights activists: Chechnya's refugees seek asylum in Germany because of repressions in the Republic], 3 June 2016 ([url](#)); Kavkaz.Realii, Перепечатывается с разрешения Радио Свободная Европа / Радио Свобода, Прирост населения Чечни сокращается из года в год [Increment of the population of Chechnya is declining from year to year], 19 February 2017 ([url](#)).

<sup>(8)</sup> RBC, Исследование РБК: 20 главных фактов о Чечне [Study of RBC: 20 main facts about Chechnya], 1 February 2016 ([url](#)).

<sup>(9)</sup> Meduza, Когда вы вернетесь, мы вас уйдем [When you return, we will kill you], 6 December 2016 ([url](#)).

<sup>(10)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 73.

stated that people of Chechen ethnicity are settled in many Russian regions <sup>(11)</sup>. The table below shows Russian regions with the largest Chechen population, according to the 2010 population census results <sup>(12)</sup>:

Area	Total population	Number of Chechens
Moscow	11 503 501	14 524
Republic of Kalmykia	289 481	3 343
Astrakhan region	1 010 073	7 229
Republic of Dagestan	2 910 249	9 3658
Republic of Ingushetya	412 529	18 765
Kabardino-Balkaria	859 939	1 965
Republic of North Osetia	712 980	2 264
Volgograd region	2 610 61	9 649
Rostov region	4 277 976	11 449
Stavropol Krai	2 786 281	11 980
Saratov region	2 521 892	5 738
Khanty-Mansi Autonomous Area - Yugra	1 532 243	6 889

A portion of the population did not declare their nationality during the 2010 population census. The actual numbers of Chechens in some regions may therefore differ from official ones. For example, according to the Danish Immigration Service (DIS) data, gathered during a 2014 fact-finding mission, in the Volgograd region the actual number of Chechen residents is two times larger than the official number <sup>(13)</sup>. Another example pertains to the St Petersburg diaspora. According to the 2010 census, they were only 1 482. It is not clear how reliable this figure is, as according to diaspora representatives, during the last Chechen war in 1999-2009, 10 000 people from Chechnya came to live in St Petersburg <sup>(14)</sup>. The Moscow Chechen population is also regarded to be greater than the official figure <sup>(15)</sup>.

According to the local human rights group the Civic Assistance Committee <sup>(16)</sup>, the regions of the Russian Federation are not willing to accept residents fleeing from the Chechen Republic:

<sup>(11)</sup> Grozny Inform, О жизни чеченцев и роли Представительства Главы ЧР в Волгоградской области [On the life of Chechens and the role of the Representative Office of the Head of the Chechen Republic in the Volgograd Region], 1 June 2016 ([url](#)).

<sup>(12)</sup> Federal State Statistics Service (Rosstat), Информационные материалы об окончательных итогах Всероссийской переписи населения 2010 года, Приложение 7, Национальный состав населения по субъектам Российской Федерации [Information materials on the final results of the All-Russia Population Census of 2010, Appendix 7, National composition of population in subjects of the Russian Federation], n.d. ([url](#)).

<sup>(13)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 73.

<sup>(14)</sup> Online 812, Насколько петербургские чеченцы зависят от Рамзана Кадырова [The extent to which the Chechens of Chechnya depend on Ramzan Kadyrov], 27 April 2016 ([url](#)).

<sup>(15)</sup> Bolshoi Gorod, Чеченцы [Chechens], 16 May 2012 ([url](#)).

<sup>(16)</sup> The Civic Assistance Committee is an NGO that helps migrants and refugees, supports victims of hate crimes, and supports people from Ingushetya and Chechnya who face discrimination on ethnic grounds in prison. At their office, judicial consultations are provided, as well as health care consultations with doctors and psychologists. Website: [www.refugee.ru](http://www.refugee.ru).

‘There are no mechanisms for admission, they are not granted the status of internally displaced persons, registration process is not “smooth”’<sup>(17)</sup>. In December 2016, the Internal Displacement Monitoring Center (IDMC) estimated that there were 22 600 internally displaced persons in Russia. The IDMC stated that 19 000 were displaced due to the Chechen conflict. Additionally, there were reports that ‘conditions for some of those displaced after the conflict in Chechnya remained poor, including substandard living accommodations without proper sanitation and electricity’. The government however, does not recognise individuals displaced due to the conflict in Chechnya as ‘forced migrants’ (the term used for IDPs in the Russian Federation)<sup>(18)</sup>.

## 1.2 General features of the larger Chechen communities

### 1.2.1 Moscow

The formation of the Chechen community in Moscow began in the 1960s and 1970s, but the major migration took place in the 1990s because of the two Chechen wars: from 1989 to 2002 the number of Chechens grew seven times. The 2010 census showed that the number remained virtually unchanged since the 2002 census<sup>(19)</sup>. Chechens still comprise 14 524 inhabitants out of a population of almost 11 million inhabitants<sup>(20)</sup>. According to an article on the Russian website Bolshoi Gorod, this is due to the reluctance of Moscow Chechens to participate in any censuses. In addition, the official number does not include the rather significant number of Chechens living in Moscow who are officially registered at their permanent place of residence in Chechnya. Yet, the Chechen community in Moscow, in any case, is much smaller than it seems to Muscovites who tend to exaggerate the number, according to an unnamed study referred to by the article<sup>(21)</sup>.

The Chechen community is not as homogeneous in Moscow as it is commonly believed. There is a wealth gap between community members and different political convictions, too - Bolshoi Gorod states ‘opponents of Dudayev, Maskhadov, and later Kadyrov fled to Moscow at different times and it is not easy to find a common language.’<sup>(22)</sup>

Talking about the Chechen community in Moscow, a young Chechen in an interview to the internet media outlet Snob stated:

‘There is an opinion that Chechens in Moscow indulge themselves too much. In my opinion, the opposite is true: when a person is far from his homeland, he tries in every possible way to be a part of his ethnicity. Meeting with people who have lived their whole lives in Moscow, I am amazed that the ethnic identity of these people is stronger. They talk more in Chechen, they have kept the rules that no one observes at home already. With few exceptions, we have no tendency to dissolve in other peoples with whom we live. In a sense, our society is closed (...)’<sup>(23)</sup>

<sup>(17)</sup> Rambler, Почему за 200 лет чеченцы с русскими так и не ассимилировались? [Why were Chechens not assimilated with Russians for 200 years?], 4 September 2017 ([url](#)).

<sup>(18)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 37.

<sup>(19)</sup> Bolshoi Gorod, Чеченцы [Chechens], 16 May 2012 ([url](#)).

<sup>(20)</sup> Federal State Statistics Service (Rosstat), Информационные материалы об окончательных итогах Всероссийской переписи населения 2010 года, Приложение 7, Национальный состав населения по субъектам Российской Федерации [Information materials on the final results of the All-Russia Population Census of 2010, Appendix 7, National composition of population in subjects of the Russian Federation, n.d. ([url](#)).

<sup>(21)</sup> Bolshoi Gorod, Чеченцы [Chechens], 16 May 2012 ([url](#)).

<sup>(22)</sup> Bolshoi Gorod, Чеченцы [Chechens], 16 May 2012 ([url](#)); openDemocracy, Convert and love: Russia’s Muslim wives, 1 March 2017 ([url](#)).

<sup>(23)</sup> Snob, Москва чеченская [Moscow is Chechen], 31 July 2017 ([url](#)).

The presence of Chechens is noticeable in the Moscow auto business, hotel and restaurant businesses, and they also often own petrol stations. The Chechens often prefer to employ not only their tribesmen but also the people of the same *teip* (cell of the clan-related system in the Chechen society) <sup>(24)</sup>. During an interview, young Chechens, who were explaining to a journalist why they saw military service as a possibility for future employment, also said that in the republic there are no prospects for young men and that thousands of them today work on various building sites in Moscow and other places, ready to do virtually any work <sup>(25)</sup>. The Danish fact-finding mission of 2014 also mentions large Chechen communities living in the Moscow region, mainly working in construction or in the taxi business <sup>(26)</sup>.

Chechen men usually marry members of their own *teips*. If they marry a Russian woman, they try to hide the fact from their relatives <sup>(27)</sup>. Another source suggests the more conservative Chechens will only marry another Chechen, while for a less traditional Chechen, it is most important the partner is Muslim <sup>(28)</sup>. In an article, the Moscow journal *Bolshoi Gorod* quotes from a book called *Islam in Moscow*, which claims that cases of bigamy are common, both within the Chechen ethnic environment and with women of other nationalities <sup>(29)</sup>.

There are more than ten Chechen groups in Moscow that provide armed support in 'disputes of economic entities'. One of the incidents when around 30 armed and shooting Chechens entered a company in Moscow in 2015 revealed that the people employed for this purpose work in shifts: one brigade of fighters works for half a year, and another group works the rest of the year <sup>(30)</sup>.

According to *Novaya Gazeta*, there is a permanent squad of Chechen bodyguards in Moscow - approximately 30 of Kadyrov's men - deployed in the capital for security tasks. Those bodyguards allegedly stay in apartments in the President Hotel. They have automatic weapons, communication facilities, and their cars are equipped with special passes. Media sources report of criminal cases instigated against the leader of the group, who it is alleged to have governmental connections, but all of the investigations have been closed. The cases involved armed incidents, a kidnapping and torture <sup>(31)</sup>. In March 2013, officers from the central office of the FSB refused to continue their duties because the members of this group had been released from custody despite the fact that they were accused of kidnapping, extortion of money, and torture. The principal investigator was also fired <sup>(32)</sup>.

### 1.2.2 St Petersburg

Coverage by the media on St Petersburg Chechens is lower in comparison with other ethnic groups living in the city. This can be explained by the fact that Chechens in St Petersburg are considered a relatively new and small ethnic group with an official number of 1 482, although its real size is not known <sup>(33)</sup>. During the second Chechen war (the active phase of the war was

<sup>(24)</sup> *Bolshoi Gorod*, Чеченцы [Chechens], 16 May 2012 ([url](#)).

<sup>(25)</sup> *Caucasian Knot*, Первые призывники отправлены в армию из Чечни [The first conscripts sent to the army from Chechnya], 18 October 2017 ([url](#)).

<sup>(26)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 179.

<sup>(27)</sup> *Bolshoi Gorod*, Чеченцы [Chechens], 16 May 2012 ([url](#)).

<sup>(28)</sup> *Village (The)*, Как всё устроено. Чеченская девушка [How everything works. The Chechen girl], 1 July 2015 ([url](#)).

<sup>(29)</sup> *Bolshoi Gorod*, Чеченцы [Chechens], 16 May 2012 ([url](#)).

<sup>(30)</sup> *ura.ru*, Пули свистели повсюду [Bullets whistled everywhere], 6 February 2015 ([url](#)).

<sup>(31)</sup> *Novaya Gazeta*, Москва-Юрт [Moscow yurt], 24 March 2013 ([url](#)); *Crime Russia*, Armed Kadyrov fighters in Moscow as Chechen phenomenon, 27 April 2016 ([url](#)).

<sup>(32)</sup> *Novaya Gazeta*, Москва-Юрт [Moscow yurt], 24 March 2013 ([url](#)).

<sup>(33)</sup> Fadeev, P.V., 'Этнические группы Санкт-Петербурга в представлении СМИ' ['Ethnic groups of St. Petersburg in the media presentation'], 2017 ([url](#)), p. 116.



in 1999-2000), the St Petersburg diaspora supplied humanitarian aid to their compatriots and settled their relatives in a new place. A significant part of the Chechens who live in St Petersburg today arrived during the second war. A representative of the old diaspora in St Petersburg, Abdulla Daudov, Director of the Institute of History of Saint Petersburg State University and President of the 'Vaynakh Congress', believes that around ten thousand people arrived back then <sup>(34)</sup>.

Many come to St Petersburg for work, as there is a lack of jobs in Chechnya. According to the Director of the Institute of History, the most important condition for moving is the availability of acquaintances who could help settle or temporarily accommodate them in their own homes. A university professor admitted that the number of Chechen students nowadays in St Petersburg is low <sup>(35)</sup>.

The social composition of the Chechen population is diverse. Almost all of them speak the native language and uphold their national traditions <sup>(36)</sup>. According to diaspora representatives, among the St Petersburg Chechens, there are businessmen, security officials, lawyers, and McDonald's franchise owners. There are also doctors, university professors and painters. Many are involved in the construction and oil businesses, but mostly in medium-sized businesses: they have their own store or a small firm. Traditionally, Chechens do not trade in open air city markets <sup>(37)</sup>.

The St Petersburg-based, Chechen writer Herman Sadulayev does not believe in the clannishness of a modern Chechen society: 'The Chechens are not more a clan nation than the Russians. There are some connections, communities, but only at the level of general acquaintances or kinship'. He also notes that it is not characteristic of Chechens to form national neighbourhoods and create subcultural units - they quite successfully integrate into the common culture <sup>(38)</sup>.

Chechens in St Petersburg do not consider the diaspora to be close-knit. They say that they are brought together more by cultural activities, that are organised by either the representation of the Chechen republic in the city or the so-called Vaynakh Congress - an organisation that is often called 'the Chechen diaspora'. Within the 'Vaynakh Congress' there is a board and a group for different tasks and activities, such as organising cultural and linguistic programs or protecting the rights of an individual <sup>(39)</sup>.

### 1.2.3 Volgograd

In the context of the depopulation of the Volgograd region due to migration processes, there are communities that have increased their numbers considerably. These are Caucasian ethnic groups that remain as the leading regional diasporas <sup>(40)</sup>. According to the Center for Statistics

<sup>(34)</sup> Online 812, Насколько петербургские чеченцы зависят от Рамзана Кадырова [The extent to which the Chechens of Chechnya depend on Ramzan Kadyrov], 27 April 2016 ([url](#)).

<sup>(35)</sup> Online 812, Насколько петербургские чеченцы зависят от Рамзана Кадырова [The extent to which the Chechens of Chechnya depend on Ramzan Kadyrov], 27 April 2016 ([url](#)).

<sup>(36)</sup> Fadeev, P.V., 'Этнические группы Санкт-Петербурга в представлении СМИ' ['Ethnic groups of St. Petersburg in the media presentation'], 2017 ([url](#)), p. 116.

<sup>(37)</sup> Online 812, Насколько петербургские чеченцы зависят от Рамзана Кадырова [The extent to which the Chechens of Chechnya depend on Ramzan Kadyrov], 27 April 2016 ([url](#)).

<sup>(38)</sup> Online 812, Насколько петербургские чеченцы зависят от Рамзана Кадырова [The extent to which the Chechens of Chechnya depend on Ramzan Kadyrov], 27 April 2016 ([url](#)).

<sup>(39)</sup> Online 812, Насколько петербургские чеченцы зависят от Рамзана Кадырова [The extent to which the Chechens of Chechnya depend on Ramzan Kadyrov], 27 April 2016 ([url](#)).

<sup>(40)</sup> Sushchiy, S.Ya., Этнотемографический Потенциал и Миграционная Динамика в Волгоградской Области: Тренды и Прогнозы [Ethnodemographic Potential and Migratory Dynamics in the Volgograd Region: Trends and Forecasts], 2016 ([url](#)).

of the Volgograd region, there are more than 9 000 Chechens in Volgograd <sup>(41)</sup> However, in a meeting with DIS, officials from the Memorial Human Rights Center <sup>(42)</sup> in Volgograd pointed out that in fact more than 20 000 Chechens live in the Volgograd region. Some have lived there for 30 years <sup>(43)</sup>.

According to a Chechen government news agency, Chechens in the Volgograd region are employed 'in various spheres of life' <sup>(44)</sup>.

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<sup>(41)</sup> Grozny Inform, О жизни чеченцев и роли Представительства Главы ЧР в Волгоградской области [On the life of Chechens and the role of the Representative Office of the Head of the Chechen Republic in the Volgograd Region], 1 June 2016 ([url](#)).

<sup>(42)</sup> Memorial Human Rights Center, with offices in four regions in Russia and 39 Migration and Law offices. Website: <http://www.memohrc.org/>.

<sup>(43)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 73.

<sup>(44)</sup> Grozny Inform, О жизни чеченцев и роли Представительства Главы ЧР в Волгоградской области [On the life of Chechens and the role of the Representative Office of the Head of the Chechen Republic in the Volgograd Region], 1 June 2016 ([url](#)).

## 2. Legal requirements

### 2.1 Residence registration

#### 2.1.1 Procedure

According to the *Law on the right of citizens of the Russian Federation to the freedom of movement, the choice of a place of stay and residence within the Russian Federation*, citizens of the Russian Federation are obliged to register their place of permanent or temporary residence with the authorities <sup>(45)</sup>. The act of registration is merely a notification to the authorities about one's address or place of stay <sup>(46)</sup>.

Residence registration is performed at a local MVD office, at a Multifunctional Center (MFC), through the electronic portal Gosuslugi <sup>(47)</sup> or by mail (only for temporary registration) <sup>(48)</sup>. Permanent residence registration is the registration of the address where someone is permanently living. One can register a temporary address as well, at an address being, for example, a hotel, a medical institution, a prison, an apartment, or other <sup>(49)</sup>.

#### Permanent residence registration

When a person changes his or her address of permanent residence, they need to report it within seven days to the authorities. In order to register, a person has to provide their passport, a request for registration, and a document showing that the person has the right to register at a certain address, for example a lease contract. When the information in such a document is available to the authorities, the document itself does not need to be shown <sup>(50)</sup>. After the permanent residence registration is completed, this is confirmed with a stamp in the internal passport <sup>(51)</sup>.

<sup>(45)</sup> base.garant.ru, Закон РФ от 25 июня 1993 г. N 5242-1 "О праве граждан Российской Федерации на свободу передвижения, выбор места пребывания и жительства в пределах Российской Федерации" (с изменениями и дополнениями) [Law of the Russian Federation nr 5242-1 "On the Right of the Citizens of the Russian Federation to the Freedom of Movement, the Choice of the Place of Stay and Residence within the Russian Federation" (as amended)], 25 June 1993 ([url](#)).

<sup>(46)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 75.

<sup>(47)</sup> Moi dokumenty, gosudarstvennye i municipal'nye uslugi [My Documents – Municipal and State Services], Как прописаться через МФЦ [How to register through an MFC], 18 January 2018 ([url](#)).

<sup>(48)</sup> Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (The), Регистрационный учет [Registration], n.d. ([url](#)).

<sup>(49)</sup> Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (The), Регистрационный учет [Registration], n.d. ([url](#)).

<sup>(50)</sup> Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (The), Регистрационный учет [Registration], n.d. ([url](#)); garant.ru, Приказ МВД России от 31 декабря 2017 г. № 984 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по регистрационному учету граждан Российской Федерации по месту пребывания и по месту жительства в пределах Российской Федерации" [Administrative rules of MVD RF concerning the registration of citizens of the Russian Federation at a temporary or permanent residence within the Russian Federation], 31 December 2017 ([url](#)), article 49.

<sup>(51)</sup> garant.ru, Приказ МВД России от 31 декабря 2017 г. № 984 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по регистрационному учету граждан Российской Федерации по месту пребывания и по месту жительства в пределах Российской Федерации" [Administrative rules of MVD RF concerning the registration of citizens of the Russian Federation at a temporary or permanent residence within the Russian Federation], 31 December 2017 ([url](#)), article 26.1, 118.2.

A permanent registration has to be ended by the person at their request <sup>(52)</sup>. This does not necessarily have to be done with the authorities at the original address; it can also be in the new location <sup>(53)</sup>. When a registration is ended, a stamp confirming this will be put in the internal passport <sup>(54)</sup>. When a person registers their new permanent address while the old registration has not been ended, the termination will be done at the place of registration of the new address <sup>(55)</sup>.

### Temporary residence registration

When a person stays at a different address than their permanent address, registration has to be done when the period of temporary stay exceeds ninety days. When registering at a temporary address, the permanent registration is not affected. To register a temporary address one has to bring one's passport, a request for temporary registration, and a document showing the right to register at the address. In case someone is temporarily staying at an address on the basis of a social housing contract, such a document does not have to be shown, as the information on social housing is already available to the authorities. Once the registration is done the person receives a document of temporary registration <sup>(56)</sup>.

A temporary registration ends automatically at the date on which which temporary residence registration was requested. A temporary registration in places like hotels, camping sites and medical facilities ends automatically when a person leaves. When a person leaves earlier than planned, the authorities should be informed about this <sup>(57)</sup>.

### 2.1.2 Practice

Although all Russians may face problems during the registration process, for people from the Caucasus this registration procedure might be more complicated and according to the

<sup>(52)</sup> Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (The), Регистрационный учет [Registration], n.d. ([url](#)).

<sup>(53)</sup> garant.ru, Приказ МВД России от 31 декабря 2017 г. № 984 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по регистрационному учету граждан Российской Федерации по месту пребывания и по месту жительства в пределах Российской Федерации" [Administrative rules of MVD RF concerning the registration of citizens of the Russian Federation at a temporary or permanent residence within the Russian Federation], 31 December 2017 ([url](#)), article 54.1.

<sup>(54)</sup> garant.ru, Приказ МВД России от 31 декабря 2017 г. № 984 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по регистрационному учету граждан Российской Федерации по месту пребывания и по месту жительства в пределах Российской Федерации" [Administrative rules of MVD RF concerning the registration of citizens of the Russian Federation at a temporary or permanent residence within the Russian Federation], 31 December 2017 ([url](#)), article 118.3.1.

<sup>(55)</sup> garant.ru, Приказ МВД России от 31 декабря 2017 г. № 984 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по регистрационному учету граждан Российской Федерации по месту пребывания и по месту жительства в пределах Российской Федерации" [Administrative rules of MVD RF concerning the registration of citizens of the Russian Federation at a temporary or permanent residence within the Russian Federation], 31 December 2017 ([url](#)), articles 118.2.1, 118.2.2.

<sup>(56)</sup> Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (The), Регистрационный учет [Registration], n.d. ([url](#)); garant.ru, Приказ МВД России от 31 декабря 2017 г. № 984 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по регистрационному учету граждан Российской Федерации по месту пребывания и по месту жительства в пределах Российской Федерации" [Administrative rules of MVD RF concerning the registration of citizens of the Russian Federation at a temporary or permanent residence within the Russian Federation], 31 December 2017 ([url](#)), article 118.1.

<sup>(57)</sup> Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (The), Регистрационный учет [Registration], n.d. ([url](#)).

monitoring organisation SOVA, 'the problem of additional control by the Ministry of Internal Affairs and other monitoring structures arises for migrants from the Caucasus' <sup>(58)</sup>.

According to the law, not having a registration cannot be a reason to limit the rights and duties that the Russian Constitution provides Russian citizens with <sup>(59)</sup>. In practice, however, according to the US Department of State, in 2017 it was reported that '[a]uthorities often refused to provide government services to individuals without internal passports or proper registration, and many regional governments continued to restrict this right through residential registration rules that closely resembled Soviet-era regulations' <sup>(60)</sup>. According to Freedom House, 'some regional authorities impose registration rules that limit the right of citizens to choose their place of residence, typically targeting ethnic minorities and migrants from the Caucasus and Central Asia' <sup>(61)</sup>.

A 2015 report by the DIS on Chechens in the Russian Federation showed that registration as a rule is not a problem for Chechens, even though they might face discrimination or corrupt behaviour from officials, but in the end they get their registrations <sup>(62)</sup>. No newer information on this topic has been found during the research for this report.

In the fight against so-called rubber apartments, meaning apartments where (many) people are registered without living there, in 2013, Russian authorities tightened the registration rules by adding an article about fictive registrations to the Criminal Code. Whereas it used to be possible to be registered in one place and live in another, such practices are now officially outlawed. Article 322(2) of the Criminal Code states that the penalty for false registration (i.e. registration on the bases of false information/documents, or registration without the intention to live in a place) is a fine of between RUB 100 000 and RUB 500 000, or a maximum of three years in prison <sup>(63)</sup>. In addition, the administrative fine for people living somewhere without registration was raised to between RUB 2 000 and RUB 3 000. The fine for such practices in Moscow and St Petersburg is even higher <sup>(64)</sup>.

In May 2017, MVD stated that in the period from 1 January 2014 to 1 January 2016, the number of such 'rubber apartments' had diminished by almost 200 times, from 10 090 to 59. In 2016 more than 3 000 offences involving fictive registrations among Russian citizens have

<sup>(58)</sup> SOVA Center for Information and Analysis, Crimea SOS, FIDH, ADC Memorial, Racism, discrimination and fight against "extremism" in contemporary Russia and its controlled territories, 2017 ([url](#)), p. 31.

<sup>(59)</sup> base.garant.ru, Закон РФ от 25 июня 1993 г. N 5242-1 "О праве граждан Российской Федерации на свободу передвижения, выбор места пребывания и жительства в пределах Российской Федерации" (с изменениями и дополнениями) [Law of the Russian Federation nr 5242-1 "On the Right of the Citizens of the Russian Federation to the Freedom of Movement, the Choice of the Place of Stay and Residence within the Russian Federation" (as amended)], 25 June 1993 ([url](#)), Article 3.

<sup>(60)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 36.

<sup>(61)</sup> Freedom House, Freedom in the World 2018, 2018 ([url](#)), accessed 17 April 2018.

<sup>(62)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 75.

<sup>(63)</sup> base.garant.ru, Уголовный кодекс [Criminal Code of the Russian Federation], 21 December 2013 ([url](#)), article 322.

<sup>(64)</sup> garant.ru, Федеральный закон от 21 декабря 2013 г. N 376-ФЗ "О внесении изменений в отдельные законодательные акты Российской Федерации" [Survey of document – Federal Law of 21 December 2013 nr 376-FZ "On implementing changes in different legislative acts of the Russian Federation"], 23 December 2013 ([url](#)); garant.ru, Кодекс Российской Федерации об административных правонарушениях [Code of the Russian Federation nr 195-FZ on Administrative Offenses], 30 December 2001 ([url](#)), article 19.5.

been registered <sup>(65)</sup>. In Primorsky Krai, in 2017 338 such registrations were ended by the authorities <sup>(66)</sup>.

Despite the law, according to US DoS, landlords in 2017 preferred not to register their tenants due to tax reasons <sup>(67)</sup>.

For more information on traceability of Chechens because of the registration procedures, see [Section 6.2.2](#).

## 2.2 Internal passport

### 2.2.1 Procedure

The Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (GUMV MVD RF) is responsible for the issuing of internal passports <sup>(68)</sup>. Russian citizens are obliged to have an internal passport <sup>(69)</sup>. The first passport is received at the age of 14. After this, the passport has to be renewed when a person reaches the age of 20 and 45 years, when a person has changed their name or changes are made to the date or place of birth, when a person has undergone a sex change, when a passport is damaged or when there are inaccuracies in the passport <sup>(70)</sup>. A passport has to be renewed within 30 days after one of these circumstances occur <sup>(71)</sup>.

Internal passports can be applied for at one's place of permanent residence, at one's place of temporary residence, or at any other place <sup>(72)</sup>. One can apply for a passport at a local MVD office, or through the electronic state services portal Gosuslugi <sup>(73)</sup>. Since 1 February 2017, it

<sup>(65)</sup> TASS, Количество "резиновых квартир" сократилось в России почти в 200 раз [The number of 'rubber apartments' in Russia has fallen by almost 200 times], 6 May 2017 ([url](#)).

<sup>(66)</sup> Primorsky Krai Administration, «Резиновые квартиры» обнаружены во Владивостоке, Уссурийске и Артеме [“Rubber apartments” found in Vladivostok, Ussuriysk and Artem], 28 January 2018 ([url](#)).

<sup>(67)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 39.

<sup>(68)</sup> Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (The), Выдача паспорта гражданина Российской Федерации [Issuance of internal passports to citizens of the Russian Federation], n.d. ([url](#)).

<sup>(69)</sup> base.garant.ru, Постановление Правительства РФ от 8 июля 1997 г. N 828 "Об утверждении Положения о паспорте гражданина Российской Федерации, образца бланка и описания паспорта гражданина Российской Федерации" (с изменениями и дополнениями) [Internal Passport Regulations], 8 July 1997 ([url](#)), article 1.

<sup>(70)</sup> base.garant.ru, Постановление Правительства РФ от 8 июля 1997 г. N 828 "Об утверждении Положения о паспорте гражданина Российской Федерации, образца бланка и описания паспорта гражданина Российской Федерации" (с изменениями и дополнениями) [Internal Passport Regulations], 8 July 1997 ([url](#)), articles 7, 12.

<sup>(71)</sup> base.garant.ru, Постановление Правительства РФ от 8 июля 1997 г. N 828 "Об утверждении Положения о паспорте гражданина Российской Федерации, образца бланка и описания паспорта гражданина Российской Федерации" (с изменениями и дополнениями) [Internal Passport Regulations], 8 July 1997 ([url](#)), article 15.

<sup>(72)</sup> garant.ru, Приказ МВД России от 13 ноября 2017 г. N 851 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по выдаче, замене паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации на территории Российской Федерации" [Administrative rules of the MVD RF for issuing and replacing passports for citizens of the Russian Federation in the Russian Federation], 13 November 2017 ([url](#)), article 71.

<sup>(73)</sup> base.garant.ru, Постановление Правительства РФ от 8 июля 1997 г. N 828 "Об утверждении Положения о паспорте гражданина Российской Федерации, образца бланка и описания паспорта гражданина Российской Федерации" (с изменениями и дополнениями) [Internal Passport Regulations], 8 July 1997 ([url](#)), article 14; garant.ru, Приказ МВД России от 13 ноября 2017 г. N 851 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по выдаче, замене паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации на территории Российской Федерации" [Administrative rules of the

is also possible to apply for or renew an internal passport and receive it through a MFC <sup>(74)</sup>. Applying through a MFC or through the electronic portal is not possible when the passport is applied for as a first passport at the age of 14, as a first passport in general, as a result of obtaining Russian citizenship, or when the passport is applied for because the previous passport was stolen or lost <sup>(75)</sup>.

Documents necessary for applying for/renewing an internal passport are <sup>(76)</sup>:

- an application form;
- birth certificate;
- two photos;
- documents on military status/registration;
- marriage/divorce certificates;
- birth certificates of children under 14 years old;
- proof of payment of legal costs;
- in case of passport renewal, the old passport.

In case the passport was stolen or lost, a person has to write an application in which it is stated how, when and where the passport was lost, two photos, and a proof of payment. In the case of a stolen passport one should include the police report, or write down in one's own words in which police station the theft was reported <sup>(77)</sup>.

A new passport costs RUB 300, while the replacement of a lost or damaged passport costs RUB 1 500 <sup>(78)</sup>.

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MVD RF for issuing and replacing passports for citizens of the Russian Federation in the Russian Federation], 13 November 2017 ([url](#)), articles 72, 73, 74.

<sup>(74)</sup> Rossiyskaya Gazeta, Стол меняет адрес [The Desk changes its address], 27 September 2016 ([url](#)).

<sup>(75)</sup> garant.ru, Приказ МВД России от 13 ноября 2017 г. N 851 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по выдаче, замене паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации на территории Российской Федерации" [Administrative rules of the MVD RF for issuing and replacing passports for citizens of the Russian Federation in the Russian Federation], 13 November 2017 ([url](#)), articles 72, 73, 74.

<sup>(76)</sup> Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (The), Выдача паспорта гражданина Российской Федерации [Issuance of internal passports to citizens of the Russian Federation], n.d. ([url](#)); garant.ru, Приказ МВД России от 13 ноября 2017 г. N 851 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по выдаче, замене паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации на территории Российской Федерации" [Administrative rules of the MVD RF for issuing and replacing passports for citizens of the Russian Federation in the Russian Federation], 13 November 2017 ([url](#)), articles 30, 32, 33.

<sup>(77)</sup> garant.ru, Приказ МВД России от 13 ноября 2017 г. N 851 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по выдаче, замене паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации на территории Российской Федерации" [Administrative rules of the MVD RF for issuing and replacing passports for citizens of the Russian Federation in the Russian Federation], 13 November 2017 ([url](#)), article 32.1; Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (The), Выдача паспорта гражданина Российской Федерации [Issuance of internal passports to citizens of the Russian Federation], n.d. ([url](#)).

<sup>(78)</sup> Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (The), Выдача паспорта гражданина Российской Федерации [Issuance of internal passports to citizens of the Russian Federation], n.d. ([url](#)); garant.ru, Приказ МВД России от 13 ноября 2017 г. N 851 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по выдаче, замене паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации на территории Российской Федерации" [Administrative rules of the MVD RF for issuing and replacing passports for citizens of the Russian Federation in the Russian Federation], 13 November 2017 ([url](#)), article 49.

In case a person does not have a birth certificate, he or she can obtain a new certificate at the civil registry office in the place where he or she was born, or at the civil registry office in the place of permanent residence. In case it is not possible to produce a birth certificate, for example because the act was lost in the archives, and confirmed as lost by the civil registry office in Russia, or because a birth was registered abroad, a passport can be granted on the basis of other documents providing the necessary information <sup>(79)</sup>. In case a birth certificate cannot be obtained because it was lost in the archives, it is also possible to have a new act made on the basis of a court's decision <sup>(80)</sup>.

### 2.2.2 Practice

During the course of the research for this report, no information directly relating to the situation for Chechens obtaining passports has been found.

## 2.3 External passport

### 2.3.1 Procedure

There are two types of external passports: biometric passports, which are valid for 10 years, and old-style passports, which are valid for five years. Applications for both types of passports can be done at an MVD office, a MFC, or through the electronic state portal Gosuslugi <sup>(81)</sup>.

Applications can be done at the place of permanent residence, the place of temporary residence, or at the place of actual residence <sup>(82)</sup>.

<sup>(79)</sup> garant.ru, Приказ МВД России от 13 ноября 2017 г. N 851 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по выдаче, замене паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации на территории Российской Федерации" [Administrative rules of the MVD RF for issuing and replacing passports for citizens of the Russian Federation in the Russian Federation], 13 November 2017 ([url](#)), article 37; base.garant.ru, Постановление Правительства РФ от 8 июля 1997 г. N 828 "Об утверждении Положения о паспорте гражданина Российской Федерации, образца бланка и описания паспорта гражданина Российской Федерации" (с изменениями и дополнениями) [Internal Passport Regulations], 8 July 1997 ([url](#)), article 11.

<sup>(80)</sup> base.garant.ru, Федеральный закон N 143-ФЗ "Об актах гражданского состояния" (с изменениями и дополнениями) [Federal law of the Russian Federation nr 143-FZ "On civil registry acts"], 15 November 1997 ([url](#)), article 74.

<sup>(81)</sup> garant.ru, Приказ МВД России от 16 ноября 2017 г. N 864 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по оформлению и выдаче паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации за пределами территории Российской Федерации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation], 16 November 2017 ([url](#)), articles 23, 37 and 41; garant.ru, №889 "Об Утверждении Административного Регламента Министерства Внутренних Дел Российской Федерации По Предоставлению Государственной Услуги По Оформлению И Выдаче Паспортов Гражданина Российской Федерации, Удостоверяющих Личность Гражданина Российской Федерации За Пределами Территории Российской Федерации, Содержащих Электронный Носитель Информации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation, containing an electronic information chip], 27 November 2017 ([url](#)), articles 23, 24, 37, 41 and 100.

<sup>(82)</sup> Main Directorate for Migration Affairs of the Ministry of the Interior of the Russian Federation (The), Оформление загранпаспорта [Obtaining a foreign passport], n.d. ([url](#)); garant.ru, Приказ МВД России от 16 ноября 2017 г. N 864 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по оформлению и выдаче паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации за пределами территории Российской Федерации" [Administrative rules of the MVD RF on delivering the state



Along with the application, a person needs to present the following documents <sup>(83)</sup>:

- an application form in twofold;
- an identity document;
- the old exterior passport, if still valid;
- written permission from the commander, in the case of a military person;
- for men between 18 and 27: written proof (military booklet with relevant notes) that a person is not called up for regular or alternative service;
- three photographs.

Some circumstances might require extra documents, for example when the applicant is a minor or when the previous passport was stolen <sup>(84)</sup>.

When a passport is applied for in the place of permanent residence the processing takes one month. When the passport is processed in a place of temporary residence, it takes four months <sup>(85)</sup>.

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service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation], 16 November 2017 ([url](#)), article 100; garant.ru, №889 "Об Утверждении Административного Регламента Министерства Внутренних Дел Российской Федерации По Предоставлению Государственной Услуги По Оформлению И Выдаче Паспортов Гражданина Российской Федерации, Удостоверяющих Личность Гражданина Российской Федерации За Пределами Территории Российской Федерации, Содержащих Электронный Носитель Информации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation, containing an electronic information chip], 27 November 2017 ([url](#)), article 100.

<sup>(83)</sup> garant.ru, Приказ МВД России от 16 ноября 2017 г. N 864 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по оформлению и выдаче паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации за пределами территории Российской Федерации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation], 16 November 2017 ([url](#)), article 37; garant.ru, №889 "Об Утверждении Административного Регламента Министерства Внутренних Дел Российской Федерации По Предоставлению Государственной Услуги По Оформлению И Выдаче Паспортов Гражданина Российской Федерации, Удостоверяющих Личность Гражданина Российской Федерации За Пределами Территории Российской Федерации, Содержащих Электронный Носитель Информации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation, containing an electronic information chip], 27 November 2017 ([url](#)), article 37.

<sup>(84)</sup> garant.ru, Приказ МВД России от 16 ноября 2017 г. N 864 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по оформлению и выдаче паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации за пределами территории Российской Федерации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation], 16 November 2017 ([url](#)), article 37; garant.ru, №889 "Об Утверждении Административного Регламента Министерства Внутренних Дел Российской Федерации По Предоставлению Государственной Услуги По Оформлению И Выдаче Паспортов Гражданина Российской Федерации, Удостоверяющих Личность Гражданина Российской Федерации За Пределами Территории Российской Федерации, Содержащих Электронный Носитель Информации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation, containing an electronic information chip], 27 November 2017 ([url](#)), article 37.

<sup>(85)</sup> garant.ru, Приказ МВД России от 16 ноября 2017 г. N 864 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по оформлению и выдаче паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации за пределами территории Российской Федерации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation], 16

A person can temporarily be refused to leave the country in case <sup>(86)</sup>:

- a person has access to classified information, and his or her job contract contains a provision on not leaving the country, for a maximum of five years;
- a person is called up for military or alternative service, for the duration of the service;
- a person is a suspect or accused in a criminal case;
- a person is convicted for committing a crime, until the sentence is ended;
- a person is not complying with a court's decision;
- a person has offered false information when arranging travel documents;
- a person working at the Federal Security Service, as long as the contract lasts.

The occurrence of one of these circumstances is a reason to not produce or deliver the external passport <sup>(87)</sup>. Once the decision has been taken to refuse someone an external passport, the person is notified about this by e-mail or otherwise on an electronic mobile device, or through the electronic portal <sup>(88)</sup>.

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November 2017 ([url](#)), articles 27.1 and 27.3; garant.ru, №889 "Об Утверждении Административного Регламента Министерства Внутренних Дел Российской Федерации По Предоставлению Государственной Услуги По Оформлению И Выдаче Паспортов Гражданина Российской Федерации, Удостоверяющих Личность Гражданина Российской Федерации За Пределами Территории Российской Федерации, Содержащих Электронный Носитель Информации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation, containing an electronic information chip], 27 November 2017 ([url](#)), articles 28.1 and 28.3.

<sup>(86)</sup> garant.ru, Федеральный закон от 15 августа 1996 г. N 114-ФЗ "О порядке выезда из Российской Федерации и въезда в Российскую Федерацию" (с изменениями и дополнениями) [Federal Law of the Russian Federation 114-FZ on exit from the Russian Federation and entry to the Russian Federation], 15 August 1996 ([url](#)), article 15.

<sup>(87)</sup> garant.ru, Приказ МВД России от 16 ноября 2017 г. N 864 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по оформлению и выдаче паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации за пределами территории Российской Федерации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation], 16 November 2017 ([url](#)), article 52; garant.ru, №889 "Об Утверждении Административного Регламента Министерства Внутренних Дел Российской Федерации По Предоставлению Государственной Услуги По Оформлению И Выдаче Паспортов Гражданина Российской Федерации, Удостоверяющих Личность Гражданина Российской Федерации За Пределами Территории Российской Федерации, Содержащих Электронный Носитель Информации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation, containing an electronic information chip], 27 November 2017 ([url](#)), article 54.

<sup>(88)</sup> garant.ru, Приказ МВД России от 16 ноября 2017 г. N 864 "Об утверждении Административного регламента Министерства внутренних дел Российской Федерации по предоставлению государственной услуги по оформлению и выдаче паспортов гражданина Российской Федерации, удостоверяющих личность гражданина Российской Федерации за пределами территории Российской Федерации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation], 16 November 2017 ([url](#)), article 181.2; garant.ru, №889 "Об Утверждении Административного Регламента Министерства Внутренних Дел Российской Федерации По Предоставлению Государственной Услуги По Оформлению И Выдаче Паспортов Гражданина Российской Федерации, Удостоверяющих Личность Гражданина Российской Федерации За Пределами Территории Российской Федерации, Содержащих Электронный Носитель Информации" [Administrative rules of the MVD RF on delivering the state service of producing and issuing passports for citizens of the Russian Federation, confirming their identity outside the territory of the Russian Federation, containing an electronic information chip], 27 November 2017 ([url](#)), article 189.2.

### **2.3.2 Practice**

Information on potential issues when obtaining an exterior passport, due to certain ethnicities, has not been found.

### 3. Socio-economic circumstances

#### 3.1 Introduction

Since Chechens are Russian citizens, they have the right to live where they choose in Russia, and they have the same entitlements as any other Russian citizen. In practice however, discrimination does happen to Chechens, as to other people from the Caucasus, according to the findings of a report by several local NGOs. Among people from the Caucasus, ‘there is a certain discriminatory hierarchy connected with the stereotypes in society: Chechens and Dagestanis will be discriminated against more frequently than Armenians and Georgians when they are applying to law enforcement agencies due to the stereotypical qualities attributed to certain ethnic groups (aggression, adherence to radical Islam, etc.)’<sup>(89)</sup>.

According to an opinion poll conducted in July 2017 by Russian research organisation Levada, xenophobic/ethnophobic feelings have never been lower among Russians than they are now. This trend started in 2014. Experts that studied the poll attribute the decline of these feelings to the lack of xenophobic speech by political institutions and political or social movements, a lower crime rate among ethnic minorities, the way sanctions by the US and EU united citizens of Russia in disregard of ethnicity, and the shift of focus from internal to external issues. The fear of immigrants was replaced by a fear of war and economic problems<sup>(90)</sup>. Another source attributes the situation to the shift of focus to the conflict in Ukraine. In the conflict with Ukraine, Russia is positioning itself as the main fighter against fascism and xenophobia and the focus on people from the Caucasus has become less urgent<sup>(91)</sup>. Beside this, the degree of xenophobic feelings has shifted to migrants from Central Asia<sup>(92)</sup>. That the number has never been lower does however not mean that it is very low: 54 % of Russians stated that the number of other ethnicities living in Russia should be limited (although it is not clear whether this is about foreign or Russian non-Slavic ethnicities, or both)<sup>(93)</sup>.

According to preliminary numbers from SOVA, the number of persons attacked because of their non-Slavic ethnicity decreased in 2017 as compared to 2016. In 2017, SOVA recorded 28 such attacks, in 2016 the number was 44 (of which 7 victims died). Of these 28 victims, three persons were from the Caucasus, 16 were from Central Asia, and the rest from other countries. In addition to these individual attacks, there have been at least two cases in 2017 when group attacks took place in metro or train carriages, aimed at Central Asians and people from the Caucasus. Religion does not seem to play a major role in these instances: the attacks are due to ethnicity rather than religion. Although there have been cases of attacks on Muslims because of their religion, most of the attacks on Muslims occur online<sup>(94)</sup>. However, as hate crimes are often not classified as such by the Russian authorities, the real number of hate crimes may be higher than SOVA reports<sup>(95)</sup>.

<sup>(89)</sup> SOVA Center for Information and Analysis, Crimea SOS, FIDH, ADC Memorial, Racism, discrimination and fight against “extremism” in contemporary Russia and its controlled territories, 2017 ([url](#)), p. 28.

<sup>(90)</sup> Levada-center, The level of xenophobia in Russia has reached a minimum, 23 August 2017 ([url](#)).

<sup>(91)</sup> Kavkaz.Realii, Кавказцы в России [Caucasians in Russia], 30 October 2016 ([url](#)).

<sup>(92)</sup> SOVA Center for Information and Analysis, Crimea SOS, FIDH, ADC Memorial, Racism, discrimination and fight against “extremism” in contemporary Russia and its controlled territories, 2017 ([url](#)), p. 34.

<sup>(93)</sup> Levada-center, The level of xenophobia in Russia has reached a minimum, 23 August 2017 ([url](#)).

<sup>(94)</sup> SOVA Center for Information and Analysis, Xenophobia in Figures: Hate Crime in Russia and Efforts to Counteract It in 2017, 12 February 2018 ([url](#)).

<sup>(95)</sup> SOVA Center for Information and Analysis, Crimea SOS, FIDH, ADC Memorial, Racism, discrimination and fight against “extremism” in contemporary Russia and its controlled territories, 2017 ([url](#)), p. 5.

### 3.2 Housing

As shown in [Section 2.1 on residence registration](#), a person must live at the place where he or she is registered. That means that if one moves to another part of Russia, they have to find a place to live where they can be registered (permanently or temporarily).

For people of non-Slavic origin, it may be harder to find housing than for other people. Advertisements for apartments often mention that they only rent out to Slavic people, or that an apartment is for rent, but not for Caucasians. The extent to which this happens is not clear, apart from SOVA et al. stating that it is a widespread phenomenon in Russian cities <sup>(96)</sup>.

A research done by the Robustory project, a data journalism blog run by academic researchers <sup>(97)</sup> on rental advertisements in Moscow, showed that on 2 April 2017, 16 % of the ads mentioned preferences regarding ethnicity. According to the research, the trend shows that the more expensive the apartments are, the less ethnic origin is mentioned <sup>(98)</sup>.

According to Varvara Tretyak, Coordinator of the support group for labour migrants of the Civic Assistance Committee, in practice, people who come to Moscow for work generally know in advance where they can find a place to live. They have family members, and other connections and there are thematic groups in social media giving information on where one can find accommodation <sup>(99)</sup>.

### 3.3 Education

According to the Russian law on education, the right to education is guaranteed to every person regardless of their place of residence <sup>(100)</sup>.

In practice, according to an article in the online newspaper Meduza, schools tend to refuse children without the proper registration. This is not only a problem for children of migrants, but also for children of any Russian citizen who wants to send their children to a school which is not in the direct area of where they officially (temporarily or permanently) live <sup>(101)</sup>.

Children who officially live close to a school are placed first. After that, other children who live somewhere else or who cannot show their registration can get a placement in this school <sup>(102)</sup>. The absence of registration cannot officially be the reason to refuse children. The only reason for this can be lack of space <sup>(103)</sup>; this is stated in a decree issued by the Ministry of Education in 2014. The decree does, however, also state that parents should show a proof of residence registration for their child <sup>(104)</sup>. According to the General Prosecutor's office, schools should

<sup>(96)</sup> SOVA Center for Information and Analysis, Crimea SOS, FIDH, ADC Memorial, Racism, discrimination and fight against "extremism" in contemporary Russia and its controlled territories, 2017 ([url](#)), p. 31.

<sup>(97)</sup> Moscow Times (The), Moscow's Most Racist Landlords Revealed, 21 June 2017 ([url](#)).

<sup>(98)</sup> Robustory, Рассмотрим славян [Consider the Slavs], n.d. ([url](#)).

<sup>(99)</sup> Miloserdie.ru, Национальный квартирный вопрос [National apartment issue], 20 February 2018 ([url](#)).

<sup>(100)</sup> base.garant.ru, Закон об образовании [Federal law of the Russian federation nr 273-FZ on Education], 29 December 2012 ([url](#)), article 5.

<sup>(101)</sup> Meduza, Возьмут ли в школу ребенка без регистрации? [Will they take a child to school without registration?], 29 August 2015 ([url](#)); Meduza, Куда бежать Почему российские школы отказываются принимать детей мигрантов [Where to run Why Russian schools refuse to accept the children of migrants], 5 August 2015 ([url](#)).

<sup>(102)</sup> Kommersant, МВД включилось в школьную программу [MVD got involved in the school program], 12 August 2017 ([url](#)).

<sup>(103)</sup> Kommersant, МВД включилось в школьную программу [MVD got involved in the school program], 12 August 2017 ([url](#)).

<sup>(104)</sup> Rossiyskaya Gazeta, Приказ Министерства образования и науки Российской Федерации (Минобрнауки России) от 22 января 2014 г. N 32 г. Москва "Об утверждении Порядка приема граждан на обучение по образовательным программам начального общего, основного общего и среднего общего образования"

have the right to ask for proof of registration, in order to be able to determine which children live close by and should be placed first. That schools refuse children because of absence of registration, referring to the decree, is illegal <sup>(105)</sup>.

In August 2015, the Supreme Court confirmed the decree, stating that absence of registration is not a valid reason to refuse enrolment in school. Furthermore, the decree only concerns children enrolling in the first class <sup>(106)</sup>. From the court's decision, a conclusion is drawn by a representative of the Civic Assistance Committee, interviewed by Kommersant, that the misinterpretation by the school directors of the decree is regarded by the court as a problem for local authorities, despite suggestions the issue is of a systemic nature in certain regions, such as Moscow <sup>(107)</sup>.

No information has been found that Chechens have problems enrolling in schools because of their ethnicity. Furthermore, no information has been found that enrolling a child into a school outside one's residence area is more difficult for Chechens than for other Russian citizens.

### 3.4 Labour market

According to Article 64 of the Russian Labour Code, place of residence (and absence of registration) cannot be an impediment to concluding a labour contract <sup>(108)</sup>. Although not necessary for a labour contract, for other reasons it is necessary to register (see also [Section 2.1](#)). Regarding this, US DoS reported in its 2017 Country Report that '[e]mployers frequently refused to hire applicants who lacked residential registration, which was common due to landlords' preference not to register occupants for tax reasons' <sup>(109)</sup>.

According to several different sources, discrimination in the field of labour on the basis of ethnicity does exist in Russia. The lawyer Timirlan Akhmadov, who deals with cases of discrimination, confirms that this is the case. Akhmadov states there are unwritten orders from the leadership of companies not to hire people of certain ethnic groups. He claims it is difficult to prove, because companies will never officially admit this. In 2015, a federal law came into effect that obliges employers to give written reasons (if demanded) as to why they did not hire a person. According to Akhmadov, it is 'foolish' to believe that employers will list a person's nationality as the reason not to hire them <sup>(110)</sup>.

Several sources reported of a case in 2016 where a person was not hired by the local police department in Tver, and was informed by the Head of Personnel that the Tver police does not hire Caucasians, Chechens, Dagestanis, Tatars and Muslims. The person recorded and published the conversation, but was later sued for inciting hatred towards MVD officers and insulting representatives of the authorities. In August 2016, he was found guilty of insulting representatives of the authorities, though not for inciting hatred towards the police <sup>(111)</sup>.

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[Decree of the Ministry of Education and Science of the Russian Federation nr 32 "On confirmation of the order of acceptance of citizens for education at primary and secondary schools"], 22 January 2014 ([url](#)).

<sup>(105)</sup> Meduza, Возьмут ли в школу ребенка без регистрации? [Will they take a child to school without registration?], 29 August 2015 ([url](#)).

<sup>(106)</sup> Kommersant, МВД включилось в школьную программу [MVD got involved in the school program], 12 August 2017 ([url](#)).

<sup>(107)</sup> Kommersant, МВД включилось в школьную программу [MVD got involved in the school program], 12 August 2017 ([url](#)).

<sup>(108)</sup> base.garant.ru, Трудовой кодекс [Labour Code], 30 December 2001 ([url](#)), article 64.

<sup>(109)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 39.

<sup>(110)</sup> Kavkaz.Realii, Дагестанец? Давай, до свидания [From Dagestan? Goodbye], 16 January 2017 ([url](#)).

<sup>(111)</sup> SOVA Center for Information and Analysis, В Твери мусульманина судят за комментарий об отказе в приеме на работу в полицию [In Tver, a Muslim is judged for commenting on the refusal to apply for a job in the police], 24 June 2016 ([url](#)); Kavkaz.Realii, Дагестанец? Давай, до свидания [From Dagestan? Goodbye], 16

There are other reports of discrimination, such as a photographer at a cultural centre in Moscow who was fired when a new director was hired. Judging from remarks made by the new director, the reason was his Chechen ethnicity <sup>(112)</sup>.

Also according to the lawyer Mikail Kostoyev, discrimination on the labour market exists. In his opinion, there are hardly any Asians or Caucasians working in offices of large companies. In courts, health care institutions and universities there are more of them, probably because locals will not do these jobs due to the low wages. Kostoyev has never seen any document with secret orders not to hire people from the Caucasus, but has heard about them many times <sup>(113)</sup>.

According to SOVA Center, who examined in detail the situation in the city of Surgut, where around 35 000-40 000 Dagestanis and over 2 000 Chechens live, alongside other ethnicities, the people of the Caucasus are discriminated against more than other minorities. This is primarily evident in the field of employment. There appears to be an unwritten rule used by large companies to not hire people from the Caucasus. It is also described as practically impossible for a person from the Caucasus to find a job with the police, prosecutor's office and so on, even with the right qualifications. In the oil sector or in the public sector, Chechen employees state that there is an unwritten rule to not promote them. In addition, there have been complaints that people from the Caucasus earn less than their colleagues in equal jobs and that they do not get bonuses. While there are barriers to find jobs in large gas companies and as state employees, according to SOVA Center, people from the Caucasus do find jobs in education and the health care sector. Otherwise, they mostly work in the private sector, or run markets, construction companies and private clinics. Exceptions are state-run businesses where Dagestanis are in charge: they do hire people from the North Caucasus <sup>(114)</sup>.

As to the position of women from the North Caucasus on the labour market, SOVA notes:

'Field data show that women encounter fewer problems with employment. This is because other northerners trust them more and feel less enmity towards them, and also because of the vacancies themselves that the women are interested in. These are mainly positions in the service sector, as well as positions as junior and mid-level medical personnel and in preschools and, less frequently, schools. The level of salaries and competition in these sectors is low, so women from the North Caucasus can freely occupy these niches.

(...)

The only group of women that might encounter obstacles and discrimination when job hunting are women who wear a hijab. However, they face this same risk at home in the North Caucasus, even though hijabs are worn widely there. This type of discrimination is not connected with region of origin or ethnicity, but with religious affiliation, particularly with the majority's fear of practitioners of radical Islam, which covered women are automatically assumed to be.' <sup>(115)</sup>

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January 2017 ([url](#)); Radio Svoboda, Признан виновным автор видеоролика о полиции Твери [*Author of video about Tver police found guilty*], 11 August 2016 ([url](#)).

<sup>(112)</sup> Kavkaz.Realii, Чеченец? Давай, до свидания! [*From Chechnya? Goodbye*], 3 March 2017 ([url](#)).

<sup>(113)</sup> On Kavkaz, Чеченцам, дагестанцам, ингушам в России не место. От кавказцев зачищают силовые структуры и офисы [There is no place in Russia for people from Chechnya, Dagestan, Ingushetiya. Power structures and offices are cleansed from Caucasians], 11 March 2017 ([url](#)).

<sup>(114)</sup> SOVA Center for Information and Analysis, Crimea SOS, FIDH, ADC Memorial, Racism, discrimination and fight against "extremism" in contemporary Russia and its controlled territories, 2017 ([url](#)), pp. 28-31.

<sup>(115)</sup> SOVA Center for Information and Analysis, Crimea SOS, FIDH, ADC Memorial, Racism, discrimination and fight against "extremism" in contemporary Russia and its controlled territories, 2017 ([url](#)), pp. 30-31.

### 3.5 Health care

According to the law, the state provides citizens with health care irrespective of their place of residence <sup>(116)</sup>. Officially, health care is free for Russian citizens. All citizens have a compulsory medical insurance and in exchange they receive access to a range of medical care. Depending on the registered residential address, a certain clinic is assigned, which in turn will refer to connected institutions for specialist or other types of care <sup>(117)</sup>.

The law states that every person has the right to choose a clinic, or change clinics, once a year, except in the case of moving to a new address, when people get an extra choice <sup>(118)</sup>.

In Russia, state-owned medical facilities give both free medical care and some fee-based care. Private hospitals are fee-based only. In addition to the compulsory insurance, which working and non-working Russians all are included in, Russians can choose to have a complementary insurance, which covers some fee-based treatment in some state hospitals. A lot of private hospitals accept private insurance <sup>(119)</sup>.

No recent information has been found on discriminatory aspects within the health care system in Russia. The only recent mentioning is a recommendation in the report by SOVA, FIDH and others to the Russian authorities to ‘fight explicit illegal discriminatory practices, including public expression thereof, in public spaces related to housing, education and health services’ towards internal migrants and non-citizens’ <sup>(120)</sup>. Apparently this kind of discrimination exists, but it is not elaborated on in the report itself. Some specific examples of discrimination in health care are older, for example a gynaecologist in Karelia who in 2013 refused to help a woman with a headscarf. The doctor was reprimanded by the clinic <sup>(121)</sup>. In 2014, the Chechen Ombudsman condemned the Ministry of Health Care of the Astrakhan oblast for banning health care to inhabitants of the North Caucasus republics <sup>(122)</sup>.

As far as mental health care is concerned, no information was found on the specific situation of Chechens within the system.

<sup>(116)</sup> Consultant Plus, Федеральный закон от 21.11.2011 N 323-ФЗ (ред. от 19.07.2018) "Об основах охраны здоровья граждан в Российской Федерации" [*Federal Law of the Russian Federation nr FZ-323 on "The rights of citizens in the field of occupational health and safety and their State guarantees"*], 21 November 2011 ([url](#)), article 5.

<sup>(117)</sup> United Nations Research Institute for Social Development, Constraints on Universal Health Care in the Russian Federation, February 2015 ([url](#)), p. 12.

<sup>(118)</sup> garant.ru, Нарушение права на получение медицинской помощи [Violation of the right to receive medical care], n.d. ([url](#)); Insurance Portal, О праве застрахованного лица на выбор медицинской организации по ОМС и механизме его реализации [On the right of insured persons to choose a medical organization according to their insurance and the mechanism to realise this], n.d. ([url](#)).

<sup>(119)</sup> Polovinka, A., Three Essays on Informal Payments in the Health Care Sector in Russia, 2016 ([url](#)), p. 14.

<sup>(120)</sup> SOVA Center for Information and Analysis, Crimea SOS, FIDH, ADC Memorial, Racism, discrimination and fight against “extremism” in contemporary Russia and its controlled territories, 2017 ([url](#)), p. 47.

<sup>(121)</sup> Gazeta.ru, «Я еврейка и пациенток в платочках не буду принимать» [“I am jewish and I will not see a patient in a headscarf”], 23 July 2013 ([url](#)).

<sup>(122)</sup> Ombudsman of Chechnya, Доклад О Деятельности Уполномоченного По Правам Человека В Чеченской Республике В 2014 Году [Annual Report of the Chechen Ombudsman for 2014/2015], 2015 ([url](#)), p. 319.



## 4. Specific profiles

### 4.1 Women

#### 4.1.1 Harmful traditional practices and Kadyrov's policies on women

Local human rights activists have reported on the lack of information on the situation of Chechen women. Memorial states that there is a lack of understanding of the issue, both in Russia and outside, due to this shortage of information. Issues concerning relationships between men and women, rape, children born outside of marriage, and LGBT persons are strictly taboo in the Chechen culture <sup>(123)</sup>.

In an interview with the website *Lenta.ru*, an expert from the Center for Islamic Studies of the North Caucasus, Ruslan Gereev, explained that *adat* - local customary practices and traditions observed by Islamic communities in the North Caucasus <sup>(124)</sup> - are still important in the Caucasian society and are even becoming stronger. Gereev also observed that North Caucasian communities, while moving to other parts of Russia, 'export' *adat* and live according to them: 'a person from the North Caucasus, wherever he is, follows the same rules, the behavioral line is everywhere the same' <sup>(125)</sup>.

According to Memorial, the problems that arise from a strict societal adherence to traditions are aggravated by the way the Head of the Chechen Republic interprets traditions. His interpretation of Caucasian customs is 'based on his interests and even momentary moods'. For example, from previously considering bride abductions to be a 'beautiful Caucasian custom', Kadyrov suddenly announced abductions would lead to severe punishment of the groom. Memorial points out that this opens up for one situation to be 'interpreted both as the observation of traditions and their violation, depending on the agent of the action' <sup>(126)</sup>.

International Crisis Group states that Kadyrov's efforts to enforce tradition and morality affect women more than men <sup>(127)</sup>. He has in the past described women as a husband's property, mainly there to bear children. He advocates for polygamy <sup>(128)</sup> and has spoken of the practice as a means to avoid honour killings: 'better to be a second or third wife, than be killed (...) we have very harsh customs (...) if a young or divorced woman has relations, her brother would kill her and the man she was with' <sup>(129)</sup>.

<sup>(123)</sup> Memorial Human Rights Center and The Civic Assistance Committee, Chechens in Russia, 2014 ([url](#)), p. 24.

<sup>(124)</sup> Russia Beyond, Caucasian edicts of the mountains, 20 July 2015 ([url](#)).

<sup>(125)</sup> Lenta.ru, «Их хоронят отдельно, как самоубийц» ["They are buried separately, like suicides"], 25 March 2016 ([url](#)).

<sup>(126)</sup> Memorial Human Rights Center and The Civic Assistance Committee, Chechens in Russia, 2014 ([url](#)), pp. 24-25.

<sup>(127)</sup> International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), p. 33.

<sup>(128)</sup> Komsomolskaya Pravda, Рамзан Кадыров: 'Россия – это матушка родная' [Ramzan Kadyrov: 'Russia is our dear mummy'], 24 October 2008 ([url](#)).

<sup>(129)</sup> International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), p. 33; Infox.ru, Кадыров призвал чеченцев брать по второй жене [Kadyrov appealed to Chechens to get a second wife], 7 April 2009 ([url](#)).

Human rights activists have repeatedly raised the issue of early marriages in Chechnya<sup>(130)</sup>, but Kadyrov condones the practice<sup>(131)</sup>. It can also be difficult for families to resist the pressure from powerful men who seek to take underage girls as second wives<sup>(132)</sup>.

In line with *adat*, which states that children should live with their father's family and that the children are the 'property' of the father and his family<sup>(133)</sup>, after a divorce in Chechnya children stay with their father. Very young children live with their mother at first, and will be taken later by their father while the mother may be able to visit them<sup>(134)</sup>. However, very often there are cases when the husband's side does not allow the mother to see the child. In such cases, Sharia clergymen, who decide on custody of a child, address a child guardianship department, the district police officers and the employees of the police department on the rights of juveniles. However, the advice from these institutions can be treated as a recommendation and is often ignored<sup>(135)</sup>. Agreement between the former spouses so that the woman can have regular contact with her children is reached in a small number of cases, however. Women take their case to court only as the last resort as it essentially means declaring war on the husband's family. Many are also threatened by the husband's family. Usually, cases that are brought before the courts concern the mother's access to her children. In very few cases, the mother is granted full custody<sup>(136)</sup>.

However, according to Tanya Lokshina, in recent years there have been several custody cases in which judges in Chechnya have ruled in favour of the mothers, citing the best interests of the children<sup>(137)</sup>. According to a Chechen lawyer, cited in an EASO report on Chechen women, full custody for a mother can be difficult due to poverty and lack of a job. Educated women with a job are in a better position to reach some form of arrangement concerning the children and in less need of legal assistance. Help from her family is needed if a woman is to succeed in establishing an access arrangement<sup>(138)</sup>.

In June 2017, Kadyrov began an initiative to reunite divorced families<sup>(139)</sup> 'for the sake of children's happiness' and to combat terrorism<sup>(140)</sup>. In August, media reported the program had reunited 948 families<sup>(141)</sup>. Many of these reunifications were forced, according to NGOs<sup>(142)</sup>.

Ruslan Gereev from the Center for Islamic Studies of the North Caucasus explained that an honour killing is an old custom, which is inherited from *adat*. Honour killings usually take place

<sup>(130)</sup> Lenta.ru, Салам, шайтаны! Кто настоящие враги Рамзана Кадырова [Hello, shaitans. Who are Kadyrov's real enemies], 7 September 2018 ([url](#)); US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 47.

<sup>(131)</sup> Lenta.ru, Салам, шайтаны! Кто настоящие враги Рамзана Кадырова [Hello, shaitans. Who are Kadyrov's real enemies], 7 September 2018 ([url](#)).

<sup>(132)</sup> Novaya Gazeta, Кадыров вновь подтвердил свадьбу 17-летней чеченки с начальником РОВД [Kadyrov again confirmed the wedding of a 17-year-old Chechen woman with the head of the ROVD], 14 May 2015 ([url](#)).

<sup>(133)</sup> EASO, COI Report: Chechnya Women, Marriage, Divorce and Child Custody, September 2014 ([url](#)), p. 28.

<sup>(134)</sup> Kaliszewska, I., Everyday life in North Caucasus, December 2010 ([url](#)), p. 104.

<sup>(135)</sup> DAPTAR, Развод По-Чеченски: А Дети Чьи? [Divorce in Chechnya: and whose children?], 11 October 2017 ([url](#)).

<sup>(136)</sup> EASO, COI Report: Chechnya Women, Marriage, Divorce and Child Custody September 2014 ([url](#)), p. 28.

<sup>(137)</sup> openDemocracy, In Chechnya, a ruthless strongman orders family reunification, 4 September 2017 ([url](#)).

<sup>(138)</sup> EASO, COI Report: Chechnya Women, Marriage, Divorce and Child Custody, September 2014 ([url](#)), p. 28.

<sup>(139)</sup> openDemocracy, In Chechnya, a ruthless strongman orders family reunification, 4 September 2017 ([url](#)); New York Times (The), Chechnya Pushes Divorced Couples to Reunite 'for the Children', 26 August 2017 ([url](#)).

<sup>(140)</sup> Lenta.ru, Салам, шайтаны! Кто настоящие враги Рамзана Кадырова [Hello, shaitans. Who are Kadyrov's real enemies], 7 September 2018 ([url](#)).

<sup>(141)</sup> New York Times (The), Chechnya Pushes Divorced Couples to Reunite 'for the Children', 26 August 2017 ([url](#)).

<sup>(142)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 47.

in the North Caucasus and 'on the whole, these are not very frequent cases, because all disputes and conflicts are resolved through religious leaders' (143).

There are no reliable statistics on honour killings of women in North Caucasus. According to Olga Gnezdilova, a lawyer working for the Netherlands-based Justice Initiative Foundation:

'In most cases their deaths are not even registered as murders. The young women are just buried, either with a proper funeral or just in a hole somewhere. The neighbours, of course know about it, but don't report it, of course' (144). However, two leading human rights organisations, Memorial and the Civic Assistance Committee, stated in a joint 2014 report that 'honour killings have become more common in recent years, committed for deviation from the norms of behavior of a Chechen girl' (145). The reprisals of female relatives are committed not only by family: relatives working in the police or for the authorities also get involved in these crimes (146). Human rights organisations have reported that honour killings of women are seldom prosecuted, although a few cases have led to convictions (147). In 2013, the head of the republic's Investigative Committee was replaced after launching an investigation into the murder of three women that implicated police officers (148). The human rights organisation Memorial have reported several individual cases of women who try to escape an honour killing and are chased by their relatives across the Russian Federation and abroad (149). One source also speaks about a real risk of honour killings abroad, committed by the Chechen diaspora (150).

In February 2017, a group calling themselves Carthage formed on the Russian social network site VKontakte. The administrators of the group shared photos of girls found in social networks, which they deemed immoral. This could mean no scarf, short skirts, bare shoulders, legs, neck, etc. In addition to linking to pages on social networking sites, the group members regularly posted the addresses of girls and contact information of their relatives, who they encouraged to 're-educate' the victims. In early September 2017, the closed group allegedly had 55 000 members (151). However, the group was on 13 September 2017 blocked on VKontakte by the order of the federal service of the Ministry of Communications of the Russian Federation, on the grounds of hosting extremist materials (152).

Lesbian women in Chechnya are according to the Russian LGBT Network 'the most vulnerable', due to the traditional values promoted. The network reports of 'alarming news about harassment and ill-treatment' but notes that the cases were rarely reported on in the

(143) Lenta.ru, «Их хоронят отдельно, как самоубийц» ["They are buried separately, like suicides"], 25 March 2016 ([url](#)).

(144) openDemocracy, "Honour killings" in Russia's North Caucasus, 16 August 2017 ([url](#)). Original text in Russian available here: MediaZona, «По селу ходили слухи». Почему на Северном Кавказе женщин убивают их родственники, и как расследуют «убийства чести» ["There were rumors about the village". Why in the North Caucasus women are killed by their relatives, and how to investigate the "murder of honor"], 28 July 2017 ([url](#)).

(145) Memorial Human Rights Center and The Civic Assistance Committee, Chechens in Russia, 2014 ([url](#)), p. 25.

(146) International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), p. 34; Memorial Human Rights Center and The Civic Assistance Committee, Chechens in Russia, 2014 ([url](#)), pp. 25-28.

(147) US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 47.

(148) International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), p. 34.

(149) Memorial Human Rights Center and The Civic Assistance Committee, Chechens in Russia, 2014 ([url](#)), p. 31-32.

(150) Meduza, Мы всех их поправим [We will fix them all], 22 May 2017 ([url](#)).

(151) Meduza, Если узнаю, что вайнахская семья убила свою дочь за проступок, то буду стоя хлопать им [If I find out that a Vainakh family killed its daughter for a misconduct, then I'll applaud them standing], 12 September 2017 ([url](#)); Meduza, Мы всех их поправим [We will fix them all], 22 May 2017 ([url](#)).

(152) Meduza, Паблик «Карфаген» заблокировали за экстремизм [Group "Carthage" was blocked for extremism], 12 September 2017 ([url](#)).

framework of the 2017 anti LGBT campaign <sup>(153)</sup>. ILGA Europe have reported that 12 women were detained during the purges (see [Section 4.2](#)), and many have left Chechnya and Russia as a result of the purges <sup>(154)</sup>. The issues affecting other women in Chechnya affects also lesbians, who may run additional risks of becoming victims of abuse or even honour killing in the case their sexuality becomes known <sup>(155)</sup>.

#### 4.1.2 Individual cases of persecution of women

Through local NGOs, cases of persecution of girls and women from Chechnya have become known <sup>(156)</sup>.

##### The Dudurkaeva case

Luiza Dudurkaeva, 22 years old from Chechnya, left the republic after threats from members from the Carthage movement. She was harassed online and at one point also forced into a car by an unknown man. After receiving help from human rights defenders, Dudurkaeva obtained refugee status in Norway. On the way there, accompanied by her lawyer and a psychologist, Dudurkaeva was detained by Belarus police at the Minsk airport on 4 September 2017. She was then made to meet with her father, who brought her back to Chechnya <sup>(157)</sup>.

##### Cases of ‘chechenisation’ of Chechen girls from European countries

The Chairman of the Civic Assistance Committee and Head of the Migration Rights Network, Svetlana Gannushkina, has stated that underage Chechens living in more liberal European countries may be deceived by relatives and returned to Chechnya in order ‘to make real Chechen girls out of them’. Marriage to a Chechen man is considered the best way to do this <sup>(158)</sup>. According to Gannushkina, the number of such cases is on the rise <sup>(159)</sup>, with four such cases in eight years that she had been involved in, and many more that she has heard of <sup>(160)</sup>. The Chechen human rights activist Ahmed Gisayev, who lives in Europe, believes that returning Chechen girls from Europe is not a massive phenomenon, but rather concerns some separate incidents. While an expert on the Caucasus, Ahmet Yarlykapov does not believe Chechen authorities influence the behaviour of the girls’ relatives, Svetlana Gannushkina however believes that the Chechen authorities approve of and might even encourage the initiative of the girls’ relatives. In this situation, women cannot seek help from authorities <sup>(161)</sup>. Moreover, Gannushkina believes that Moscow encourages Chechnya's repression of women because of its conservative stance as this is mirrored by the conservative laws that have in the

<sup>(153)</sup> Russian LGBT Network and Novaya Gazeta, LGBT Persecution in the North Caucasus: a Report, 2017 ([url](#)), pp. 23-25.

<sup>(154)</sup> Euobserver, The Chechnya LGBT crisis – one year on, 12 March 2018 ([url](#)).

<sup>(155)</sup> Russian LGBT Network and Novaya Gazeta, LGBT Persecution in the North Caucasus: a Report, 2017 ([url](#)), pp. 23-25; Euobserver, The Chechnya LGBT crisis – one year on, 12 March 2018 ([url](#)).

<sup>(156)</sup> Meduza, Мы всех их поправим [We will fix them all], 22 May 2017 ([url](#)).

<sup>(157)</sup> Meduza, Если узнаю, что вайнахская семья убила свою дочь за проступок, то буду стоя хлопать им [If I find out that a Vainakh family killed its daughter for a misconduct, then I'll applaud them standing], 12 September 2017 ([url](#)); Meduza, Мы всех их поправим [We will fix them all], 22 May 2017 ([url](#)); HRW, Belarus Police Stop a Chechen Woman En Route To Safety in Norway, 7 September 2017 ([url](#)).

<sup>(158)</sup> Kommersant, «Кого сейчас может заинтересовать судьба нескольких девочек, удерживаемых семьей?» [“Who now can be interested on the fate of a couple of girls that are detained by their families?”], 27 January 2018 ([url](#)).

<sup>(159)</sup> USA Today, In this ultra-conservative Russian region, women are being forced back into bad marriages, 7 October 2017 ([url](#)).

<sup>(160)</sup> Kommersant, «Кого сейчас может заинтересовать судьба нескольких девочек, удерживаемых семьей?» [“Who now can be interested on the fate of a couple of girls that are detained by their families?”], 27 January 2018 ([url](#)).

<sup>(161)</sup> Caucasian Knot, Кавказоведы назвали нетрадиционным "перевоспитание" европейских чеченок [Experts of Caucasus called "re-education" of European Chechen girls unconventional], 30 January 2018 ([url](#)).

past few years been adopted in Russia. These laws include a law making it an offense to promote homosexuality among minors and a law that decriminalised ‘battery within families’. The latter is backed by the Orthodox Church and conservatives supporting ‘family traditions’, despite the widespread occurrence of violence against women in the country <sup>(162)</sup>.

Gannushkina has stated that it is difficult and dangerous for NGOs to attempt to help girls who are brought to Chechnya <sup>(163)</sup> for ‘re-education’ <sup>(164)</sup>. According to Gannushkina, the girls need help to make contact with NGOs outside Chechnya. Human rights activists do not know how many are unsuccessful. Gannushkina clarifies that if a girl stops calling, a local activist cannot initiate a contact as it would endanger the activist’s family: it would create a conflict between the families, which may be dangerous. Referring to a specific case of evacuation of a girl from Chechnya back to Germany, Gannushkina observed that while the girl was travelling to Moscow, Chechen police was passing on information to the relatives in Chechnya. On the other hand, Russian police officers cooperated with the NGO, something which according to Gannushkina illustrates that other Russian regions are ‘aware of what is going on in Chechnya’. A second abduction is a death sentence for the girl, according to Gannushkina, who also claims that the leadership of the Russian Federation has been notified about these problems without taking action <sup>(165)</sup>.

## 4.2 LGBT

Between December and March 2017, local Chechen security forces abducted, took prisoner, and tortured more than 100 men suspected of being homosexual. This resulted in at least three deaths <sup>(166)</sup>. Some were forcibly disappeared and others were badly beaten and then returned to their families. The families were told of their sexual orientation and the relatives are said to have been encouraged to carry out honour killings. According to Human Rights Watch, top-level local authorities in Chechnya sanctioned the anti-gay campaign <sup>(167)</sup>. Chechen officials simultaneously denied the killings had taken place, and condoned extrajudicial killings of LGBT persons <sup>(168)</sup>. According to Tanya Lokshina from Human Rights Watch, the anti-gay campaign could have been a way to consolidate Ramzan Kadyrov's grip over society, comparing it with previous purges against other groups of undesirables: drug users, fortune tellers, Salafi Muslims, suspected insurgent sympathisers, and local freethinkers <sup>(169)</sup>.

Novaya Gazeta was the first to report on the ‘antigay purge’ and the allegations were subsequently confirmed by independent human rights organisations. However, after a government-requested investigation into the claims, and also requested by the Human Rights Ombudswoman, the Investigative Committee did not confirm any violence against the LGBT community in Chechnya. A lack of specific information on the victims was cited <sup>(170)</sup>. In its May

<sup>(162)</sup> USA Today, In this ultra-conservative Russian region, women are being forced back into bad marriages, 7 October 2017 ([url](#)).

<sup>(163)</sup> Kommersant, «Кого сейчас может заинтересовать судьба нескольких девочек, удерживаемых семьей?» [“Who now can be interested on the fate of a couple of girls that are detained by their families?”], 27 January 2018 ([url](#)).

<sup>(164)</sup> USA Today, In this ultra-conservative Russian region, women are being forced back into bad marriages, 7 October 2017 ([url](#)).

<sup>(165)</sup> Kommersant, «Кого сейчас может заинтересовать судьба нескольких девочек, удерживаемых семьей?» [“Who now can be interested on the fate of a couple of girls that are detained by their families?”], 27 January 2018 ([url](#)).

<sup>(166)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 3.

<sup>(167)</sup> HRW, “They Have Long Arms and They Can Find Me”, 26 May 2017 ([url](#)), p. 1.

<sup>(168)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), pp. 2-3.

<sup>(169)</sup> Euroobserver, Only five countries are helping gay Chechens leave Russia, 3 August 2017 ([url](#)).

<sup>(170)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), pp. 2-3.

2017 report, Human Rights Watch warned that ‘intense and well-founded fear of official retaliation and honour killings, and overwhelming stigma will prevent many victims from coming forward’<sup>(171)</sup>. During the Human Rights Ombudswoman’s follow-up visit to Chechnya in September 2017, ‘local authorities misled her and attempted to cover up the killings’. In October 2017, a victim of the ‘anti-gay purge’ filed a complaint with the Investigative Committee. He provided information about extrajudicial killings and stated he had been tortured. The Ombudswoman has stated she would ensure the allegations were properly investigated<sup>(172)</sup>.

Cited in an August 2017 article in EUobserver, Tanya Lokshina stated that ‘Chechnya’s authorities have suspended their anti-gay purge’. She argued that despite the respite, gay Chechens are not safe in Russia: ‘There is no guarantee that the purge will not resume. And even if no such orders come from high-level Chechen authorities, gay men can still be killed by their families. The threat of honour killings is very real, especially as Chechen officials have been condoning and even encouraging this vile practice’<sup>(173)</sup>. In a March 2018 update, a representative from ILGA, writing in EUobserver, stated that the situation remained unsolved as the allegations had not been investigated on a federal level, that up to 300 people had been affected to date, and that the situation was just as grave as during the spring 2017. This later reporting also revealed that at least 12 women, including two trans women, were also detained during the purges and many left Chechnya, and Russia, due to the events in 2017<sup>(174)</sup>.

In April 2018, the Russian LGBT Network<sup>(175)</sup> presented the following statistics: for the past year, the NGO has evacuated 114 people from Chechnya who were persecuted for ‘non-traditional sexual orientation’, out of which 92 have left Russia. 41 of the applicants claimed they were directly subjected to unlawful detention, torture and beatings. 14 men stated law enforcement officers came to their houses and threatened or offered security in exchange for cooperation. Another seven turned to the NGO after their acquaintances were detained and they believed that their names would be given to authorities. Seven people approached the LGBT network after threats from relatives. Eight people out of 114 returned to Chechnya or were forcibly taken there by relatives, two of which have been confirmed dead<sup>(176)</sup>.

According to ILGA Europe, LGBT Chechens are not safe in Russia and are not always safe abroad: ‘Numerous victims who fled Chechnya were found by authorities, family members or vigilantes and brought back to Chechnya, raising the issue of (hideously named) “honour killings”’. Some victims have disappeared, and at least one is presumed dead<sup>(177)</sup>.

In Russia, Chechen LGBT persons may need to live in hiding, for instance to avoid detection by the family in Chechnya<sup>(178)</sup>. A Chechen transgender had to flee Russia illegally in 2016 to the United States after experiencing harassment by Chechens in Moscow. In Chechnya, her

<sup>(171)</sup> HRW, “They Have Long Arms and They Can Find Me”, 26 May 2017 ([url](#)).

<sup>(172)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 3.

<sup>(173)</sup> Euobserver, Only five countries are helping gay Chechens leave Russia, 3 August 2017 ([url](#)).

<sup>(174)</sup> Euobserver, The Chechnya LGBT crisis – one year on, 12 March 2018 ([url](#)).

<sup>(175)</sup> Russian LGBT network is an NGO supporting LGBT persons in Russia. Website: <https://lgbtnet.org/>, <https://help.lgbtnet.org/chechnya-en>, hotline: [kavkaz@lgbtnet.org](mailto:kavkaz@lgbtnet.org).

<sup>(176)</sup> Interfax, В ЛГБТ-сообществе заявили о вывозе из Чечни 114 подвергшихся преследованию людей [The LGBT community announced the removal of 114 people from Chechnya who were persecuted], 3 апреля 2018 ([url](#)).

<sup>(177)</sup> Euobserver, The Chechnya LGBT crisis – one year on, 12 March 2018 ([url](#)).

<sup>(178)</sup> BBC, Gay Chechens flee threats, beatings and exorcism, 6 April 2018 ([url](#)).

parents were pressured to kill her ‘or someone else would’. In October 2015, the woman was stabbed in Moscow, but the police had allegedly ignored her reports <sup>(179)</sup>.

#### 4.2.1 Children of LGBT parents

For underage marriages, divorce and custody of children, see [Section 4.1 on women](#).

In the context described in the section above, children and spouses of LGBT parents are by the Russian LGBT Network and Novaya Gazeta described as

‘the most vulnerable, not only because they lose the head of the family, but also because they lose their social status without an opportunity to reinstate it. To keep their children safe from abuse, many of those who have families (not all of them) left the region together with their relatives in danger of further consequences of the crackdown. They did so to make sure their families avoided the repressions that the men themselves have faced’ <sup>(180)</sup>.

### 4.3 Chechens eligible for military service

After the creation of a de-facto independent Ichkeriya in 1991, Chechens stopped serving in the Russian army. After the two Chechen wars in 1994–1996 and 1999–2000, which caused deep ethnic divisions between Russians and Chechens, the pro-Moscow Ahmad Kadyrov was appointed as the leader of Chechnya. Under Ahmad Kadyrov and his son Ramzan Kadyrov, Chechens served only in special units on the Chechen territory and were often not in the Russian army but under Kadyrov command. However, in 2014 the draft in Chechnya was reinstated <sup>(181)</sup>.

Only a small fraction of those eligible for military service in Chechnya, a quota of 500 people, were drafted in 2014. A number of violent incidents in Russian military units involving Chechens occurred, with several fights between Chechen conscripts and other draftees reported. After one incident in February 2015, after which four Chechens were charged with assault, a human rights activist who visited the military unit where the incident took place stated that there was ethnic discrimination and bias against the Chechens <sup>(182)</sup>. Another serviceman from Chechnya disappeared under mysterious circumstances in April 2016, and the soldier's relatives did not believe that the military command of the unit was properly investigating the disappearance <sup>(183)</sup>.

In 2015, Jamestown Foundation pointed out that not only has Chechnya undergone a process of islamisation under the rule of Ramzan Kadyrov, but Russia has also become much more religious than it used to be and symbols emphasizing both the Russian Orthodox church and Russian ethnicity have become more commonplace in the Russian army, making the resumption of a Russian military draft ‘highly problematic and conflict prone’ <sup>(184)</sup>.

At the moment Chechens serve only in the Southern Military District units of the Defense Ministry and in the National Guard (units of the National Guard located on the territory of Chechnya). The draft size has not changed since 2014, with 500 recruits, although there were

<sup>(179)</sup> Moscow Times (The), Chechnya's ‘First Transgender Woman’ Comes Forward, 18 May 2017 ([url](#)).

<sup>(180)</sup> Russian LGBT Network and Novaya Gazeta, LGBT Persecution in the North Caucasus: a Report, 2017 ([url](#)), p. 23.

<sup>(181)</sup> Jamestown Foundation (The), Irreconcilable Differences?, 25 February 2015 ([url](#)).

<sup>(182)</sup> Jamestown Foundation (The), Irreconcilable Differences? February 25 2015 ([url](#)); Gazeta.ru, «В части сейчас большой шухер» [“In this unit, there is disorder”], 27 February 2016 ([url](#)).

<sup>(183)</sup> Caucasian Knot, Местонахождение пропавшего в Адыгее военнослужащего из Чечни не установлено [The location of the missing serviceman from Adygea from Chechnya has not been established], 13 May 2016 ([url](#)).

<sup>(184)</sup> Jamestown Foundation (The), Irreconcilable Differences? February 25 2015 ([url](#)).

80 000 Chechens of draft age during the autumn draft campaign in October 2017 <sup>(185)</sup>. It has been suggested that one of the reasons why the Ministry of Defense cut quotas for the Caucasian republics was problems with discipline. However, experts state the main reason for reducing the number of conscription quotas was the army's transition to a contract-based model. The number of employees under contract is much larger than the number of conscripts <sup>(186)</sup>.

Many young Chechens regard military service as an opportunity away from unemployment and lack of prospects, whereas others have moral reasons for not undergoing military service, such as losing relatives and acquaintances at the hands of servicemen of federal forces during military campaigns in the republic. According to a representative from a military enlistment office, 50 Chechens apply for every available service spot <sup>(187)</sup>. Therefore Chechens who wish to do military service, sometimes do so by getting a temporary residence registration in another Russian region (where the quota is high enough) and by enlisting themselves in a military register there <sup>(188)</sup>.

The procedure to enlist is as follows: when a person eligible for military service moves from and is going to receive a temporary registration, he must withdraw his military registration at the military enlistment office of his former residence. Having been granted a temporary residence registration, a person must enlist with the military register at the new place of residence. He is under obligation to do so within 2 weeks. One must follow the procedure of enlistment even though the residence registration is temporary <sup>(189)</sup>.

No information from 2017 or later was found on the specific situation for Chechens in Russian military units.

## 4.4 Dissenters and human rights activists

### 4.4.1 Dissenters

According to Associated Press (AP) in January 2018, most of Kadyrov's critics have by now been forced out of Chechnya or have been killed <sup>(190)</sup>. Human Rights Watch stated in a 2016 report that any kind of dissent has repercussions, such as abductions, enforced disappearances, abuse and threats against critics or their family members. This can affect primarily ordinary citizens who show dissatisfaction with Chechen leadership, but also journalists or human rights defenders. Reprisals can be triggered by even mild comments contradicting Chechen official policies, whether expressed openly or in closed groups online <sup>(191)</sup>.

Journalists who continue to work in Chechnya are putting themselves at serious risk, according to Human Rights Watch <sup>(192)</sup>. International Crisis Group stated in a 2015 report that

<sup>(185)</sup> Caucasian Knot, Первые призывники отправлены в армию из Чечни [First Conscripts sent to the Army from Chechnya], 18 October 2017 ([url](#)); Kavkaz.Realii, "Не может российская армия состоять полностью из кавказцев" ["The Russian army cannot consist only out of Kavkaz people"], 3 October 2016 ([url](#)).

<sup>(186)</sup> Kavkaz.Realii, "Не может российская армия состоять полностью из кавказцев" ["The Russian army cannot consist only out of Kavkaz people"], 3 October 2016 ([url](#)).

<sup>(187)</sup> Caucasian Knot, Первые призывники отправлены в армию из Чечни [First Conscripts sent to the Army from Chechnya], 18 October 2017 ([url](#)).

<sup>(188)</sup> Военное обозрение, Давнее "табу" на чеченских призывников ведёт к осложнениям? [Does an old taboo on Chechen Conscripts Leads to Complications?], 21 August 2014 ([url](#)).

<sup>(189)</sup> КакПросто!, Совет 1: Как по временной регистрации встать на учет в военкомат [Tip 1: How to register with the military commissariat for temporary registration], n.d ([url](#)).

<sup>(190)</sup> AP news, Family of arrested Chechen activist pressured amid arrest, January 11 2018 ([url](#)).

<sup>(191)</sup> HRW, "Like Walking a Minefield", August 2016 ([url](#)), p. 2.

<sup>(192)</sup> HRW, "Like Walking a Minefield", August 2016 ([url](#)), p. 42.



intellectuals and artists may be at risk in instances when authorities are unhappy with their statements or work, scholars may be persecuted for interpretation of facts, and journalists and writers are severely censored<sup>(193)</sup>. A Chechen writer from St Petersburg who had written about sexuality in the Chechen society was by Kadyrov proclaimed not to be a Chechen and Muslim, yet at the same time Kadyrov promised to tell the writer's relatives to control his statements<sup>(194)</sup>. Another writer from Chechnya was beaten up in Moscow after publishing a story perceived as critical of the authorities; reportedly, his relatives in Chechnya were also put under pressure<sup>(195)</sup>.

A common tactic widely applied is to make people apologise publicly for any dissent or complaint. Meduza reports in a video that the phenomenon originates from the Chechen tradition of renunciation, and now is used against any Kadyrov critic in Russia (independent of ethnic membership and societal status), sometimes accompanied by violence. Victims are made to apologise into a camera, reportedly out of fear<sup>(196)</sup>.

#### 4.4.2 Human rights activists

Human rights activity inside Chechnya is 'nearly impossible', according to Human Rights Watch<sup>(197)</sup>. Several killings and disappearances<sup>(198)</sup> of human rights defenders in Chechnya occurred in 2009<sup>(199)</sup>, but no investigation of these cases has been completed. Many independent activists have since fled Chechnya<sup>(200)</sup>. A Joint Mobile Group of Human Rights Defenders in Chechnya (JMG) consisting of lawyers from different regions of Russia was set up. The coordinator of the JMG is Igor Kalyapin, head of the NGO Committee against Torture<sup>(201)</sup>. JMG work on cases of abduction and torture that appear to involve republic security officials<sup>(202)</sup>. However, by late 2014 it became clear, according to Human Rights Watch, that Chechen authorities had decided to evict the JMG from the republic. Since then,

<sup>(193)</sup> International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), p. 36.

<sup>(194)</sup> Rosbalt Inform Agency, Кадиров: Садулаев – не писатель и вообще не человек [Kadyrov: Sadulayev is not a writer and not even a human], 1 November 2010 ([url](#)); International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), p. 36.

<sup>(195)</sup> Saucasian Knot, В Чечне писатель подал иск о защите достоинства к председателю республиканского Союза журналистов [Writer filed a defamation lawsuit against the head of republic's Union of Journalists], 23 February 2011 ([url](#)); Saucasian Knot, На чеченского писателя Арслана Хасавова совершено покушение в Москве [A murder attempt has been committed against the Chechen writer Arslan Khasavov in Moscow], 9 March 2011 ([url](#)); International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), p. 36.

<sup>(196)</sup> Meduza, Публичные извинения как новый жанр [Public Apologies as a New Genre], 23 December 2017 ([url](#)).

<sup>(197)</sup> HRW, "Like Walking a Minefield", August 2016 ([url](#)), p. 35.

<sup>(198)</sup> In a 12 May 2016 ruling in the case of abduction of Zarema Gaysanova, a member of the humanitarian organization Danish Council on Refugees, the European Court of Human Rights established that Russia had violated several articles of the European Convention of Human Rights, as well as the responsibility of the state authorities for the abduction. Committee against Torture (The), The European Court: "Russia violated Zarema Gaysanova's right to life", 12 May 2016 ([url](#)).

<sup>(199)</sup> New York Times (The), A Fearless Activist in a Land of Thugs, 17 July 2009 ([url](#)); International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), pp. 36-38; Memorial Human Rights Center, Два года со дня убийства Заремы Садулаевой и Алика Джабраилова [Two years after the murder of Zarema Sadulayeva and Alik Dzhabrailov], 18 August 2011 ([url](#)); Committee against Torture (The), Последнее не китайское предупреждение Страсбургского суда [The last non-Chinese warning of the Strasbourg court], 24 September 2013 ([url](#)).

<sup>(200)</sup> International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), p. 37.

<sup>(201)</sup> The Committee against Torture is an interregional NGO based in Nizhny Novgorod and with offices in Chechnya, Mariy El, Bashkortostan and the Orenburg region. The main activities are supporting people with complaints about torture, inhuman or degrading treatment. The committee investigates and provides legal assistance, among others by representing the victim in court. Representation of victims before the ECHR is part of the activities of the committee. Website: [www.pytkam.net](http://www.pytkam.net).

<sup>(202)</sup> International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), pp. 36-38; Esquire, Кавказские борзые [Caucasian Greyhounds], 8 August 2011 ([url](#)).

the JMG office has been subjected to three assaults of destruction and arson, and its activists have repeatedly been targeted by the security official proxies. These attacks were accompanied by a propaganda campaign aimed at discrediting human rights defenders <sup>(203)</sup>. In verbal attacks, Chechen leadership compared human rights activists to militants and called Memorial ‘enemies of the people, enemies of the law, enemies of the state’ <sup>(204)</sup>. Pro-Kadyrov activists also threw eggs at Kalyapin during a press conference in Moscow on human rights violations in Chechnya. Since spring 2016, for safety reasons, the JMG is no longer permanently present in Chechnya <sup>(205)</sup>.

Chechen authorities have also used fabricated drug charges to imprison their critics <sup>(206)</sup>. According to Human Rights Watch, ‘blaming people for drug crimes has become an increasingly frequent tactic used by Chechnya’s authorities to punish and discredit their critics in the eyes of conservative Chechen society’ <sup>(207)</sup>. The Head of the Civic Assistance Committee, Svetlana Gannushkina, is convinced that planting of drugs can happen to any opponent. She asserts that Chechen authorities are falsifying criminal cases against their critics with the full support of the federal centre: ‘They are confident in their invulnerability, impunity and arbitrariness’ <sup>(208)</sup>.

In recent years, the following human rights activists have been sentenced for unlawful drug possession:

- In summer 2014, a court in Chechnya sentenced local activist Ruslan Kutaev to four years in jail on drug charges after he criticised an order by Ramzan Kadyrov <sup>(209)</sup>. It is not clear if drugs had been planted on him, as the evidence disappeared after they had been documented in a protocol of arrest <sup>(210)</sup>. Kutaev was reportedly tortured in police custody. He was released on parole in late 2017 <sup>(211)</sup>.
- In autumn 2016, a Chechen court sentenced Caucasian Knot journalist Zhalaudi Geriyev, who had covered Kutaev’s case <sup>(212)</sup>, to three years in prison on supposedly fabricated drug charges <sup>(213)</sup>. In April 2017, a Chechen court upheld the 2016 conviction and in July 2017 the Supreme Court denied an appeal. According to human rights groups, the charge and verdict was a retaliation for Geriyev’s work as a journalist in Chechnya <sup>(214)</sup>. Geriyev was tortured in police custody. He remains imprisoned <sup>(215)</sup>.
- On 9 January 2018, Chechen authorities arrested the activist Oyub Titiev, the Chechnya office director for Memorial Human Rights Center, who had taken over the regional office after the kidnapping and murder of Natalia Estemirova in 2009. He was

<sup>(203)</sup> HRW, “Like Walking a Minefield”, August 2016 ([url](#)), pp. 35-41.

<sup>(204)</sup> International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), pp. 36-38.

<sup>(205)</sup> HRW, “Like Walking a Minefield”, August 2016 ([url](#)), pp. 36-40.

<sup>(206)</sup> HRW, Waiting for Freedom in Chechnya, 20 March 2018 ([url](#)).

<sup>(207)</sup> HRW, Human Rights Defender Arrested in Chechnya, 9 January 2018 ([url](#)).

<sup>(208)</sup> Civic Assistance Committee (The), «Любой оппонент будет наказан» [“Every opponent will be punished”], 11 January 2018 ([url](#)).

<sup>(209)</sup> Civic Assistance Committee (The), «Гражданское содействие», «Любой оппонент будет наказан» [Every opponent will be punished], 11 January 2018 ([url](#)); HRW, Russia: Chechen Activist Leader Arrested, Beaten, 8 July 2014 ([url](#)).

<sup>(210)</sup> Civic Assistance Committee (The), «Любой оппонент будет наказан» [“Every opponent will be punished”], 11 January 2018 ([url](#)).

<sup>(211)</sup> HRW, Human Rights Defender Arrested in Chechnya, 9 January 2018 ([url](#)).

<sup>(212)</sup> HRW, Human Rights Defender Arrested in Chechnya, January 9 2018 ([url](#)).

<sup>(213)</sup> HRW, Human Rights Defender Arrested in Chechnya, 9 January 2018 ([url](#)).

<sup>(214)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 24.

<sup>(215)</sup> HRW, Human Rights Defender Arrested in Chechnya, 9 January 2018 ([url](#)).

also charged with unlawful drug possession, and on 20 March 2018 he lost his appeal against the extension of his pretrial custody <sup>(216)</sup>.

In August 2017, a defamation lawsuit was opened against both The Civic Assistance Committee, a Chechen resident who had contacted the NGO for help, and the newspaper Novaya Gazeta, for having ‘disgraced the reputation of the Chechen Ministry of Internal Affairs (MIA)’, a lawsuit which was later upheld by the Supreme Court of Chechnya <sup>(217)</sup>. The libel suit concerned the reporting on the case of Ramazan Dzhaldinov, a resident of the Chechen village of Kenkhi who was persecuted after complaining to Russian President Putin about the situation in the village and the corruption of local officials. During the court hearing, 100 people protested against journalists and human rights activists outside the Chechen Supreme Court in Grozny, calling them ‘defenders of terrorists’. Some of the participants had according to Radio Free Europe/Radio Liberty been paid to attend the protest <sup>(218)</sup>.

Information on the situation of ethnic Chechen human rights defenders outside the Chechen republic was not found in the course of this research.

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<sup>(216)</sup> HRW, Waiting for Freedom in Chechnya, 20 March 2018 ([url](#)).

<sup>(217)</sup> Caucasian Knot, Rights defenders criticize the Chechen SC’s decision on MIA’s lawsuit, 10 November 2017 ([url](#)).

<sup>(218)</sup> RFE/RL, Chechnya’s Interior Ministry Goes To Court To Defend Its Reputation, 13 November 2017 ([url](#)).

## 5. Criminal justice system

### 5.1 Treatment by police

Many sources report that the Russian police have been known for abuse of power, ill treatment and the use of excessive force<sup>(219)</sup>. Older sources have described the non-transparent nature of the Russian police, with widespread use of informal requests ‘from above’ that can be used to cover up crimes and corruption, that amplifies the seemingly hidden nature of police violence<sup>(220)</sup>. A 2017 report of the Moscow Helsinki Group stated that the media regularly report about incidents of abuse of power by the police during investigations and court hearings<sup>(221)</sup>.

The DIS report from 2015 concluded that all people from North Caucasus, including Chechens, are as citizens of the Russian Federation well aware of their rights and so are not the prime targets when police tries to extort money. In addition, according to a representative from Dosh, a magazine specialized in the Northern Caucasus, they usually try to have all necessary documents in order, to avoid problems with authorities<sup>(222)</sup>.

The police have the right to conduct identity checks to ensure everything is in order<sup>(223)</sup>. The Federal Law on Police, Article 13, specifies that the police have the right to conduct identity checks of citizens:

- if there is a suspicion that a person committed a crime or administrative offence;
- if a person is wanted by the police;
- if other grounds for detention specified or provided for by the federal law exist<sup>(224)</sup>.

Moreover, the police is not required to provide a reason for stopping, questioning, or detaining an individual if their documents are not in order<sup>(225)</sup>. There has been at least one report of the Russian police not always strictly following this procedure in accordance with the law, by not identifying themselves as police and by using force<sup>(226)</sup>.

According to a report by FIDH, there exists a certain ‘discriminatory hierarchy’, where Chechens and Dagestanis are discriminated against to a higher extent than Armenians and Georgians when they approach law enforcement agencies<sup>(227)</sup>.

<sup>(219)</sup> EASO, COI Report: Russian Federation – State Actors of Protection, April 2017 ([url](#)), p. 32; US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 2ff; Amnesty International, Amnesty International Report 2017/18 - The State of the World's Human Rights - Russian Federation, 22 February 2018 ([url](#)).

<sup>(220)</sup> Gladarev, В, Условия Службы И Социальное Положение Рядовых Сотрудников Милиции: Социологический Очерк К Юбилею [Terms and Conditions of the Service and the Social Position of Political Police Employees: Sociological Anniversary], 2008 ([url](#)), pp. 12-14. See also Chistyakov, Y., and Robertson, A., ‘Youtube Cops and Power Without Limits : Understanding Police Violence in 21st Century Russia’, 2012 ([url](#)).

<sup>(221)</sup> Moscow Helsinki Group, Права Человека В Российской Федерации - Сборник Докладов О Событиях 2017 Года [Human Rights in the Russian Federation, A collection of reports about the situation in 2017], 2018 ([url](#)).

<sup>(222)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), pp. 84 – 85.

<sup>(223)</sup> Russia Beyond, Stopped by the police in Russia? Here’s what to do, 14 December 2017 ([url](#)).

<sup>(224)</sup> Kodeksy I Zakony, Федеральный закон от 07.02.2011 N 3-ФЗ (ред. от 07.03.2018) "О полиции" [Federal Law of 07.02.2011 N 3-FZ (edited on 07.03.2018) "On the Police"], 1 March 2011 ([url](#)), article 13.

<sup>(225)</sup> US State Department: Bureau of Diplomatic Security, Russia 2018 Crime & Safety Report: Moscow, 12 February 2018 ([url](#)); Russia Beyond, Stopped by the police in Russia? Here’s what to do, 14 December 2017 ([url](#)).

<sup>(226)</sup> Kavkaz.Realii, Воронежские полицейские задержали уроженцев Чечни после просьбы предъявить удостоверения [Voronezh police detained natives of Chechnya after a request to produce certificates], 28 July 2017 ([url](#)).

<sup>(227)</sup> FIDH – International Federation for Human Rights, Report on discrimination on racial, ethnic and religious grounds, 18 July 2017 ([url](#)), p. 28.

With regard to hate crimes, Aleksander Verkhovsky, Director of the SOVA Center, when interviewed by DIS, concluded that the police in Moscow have become more professional in combating and keeping track of neo-Nazi groups, but nevertheless he noted that 'some racially motivated murders do not receive proper police investigation because they are more difficult to solve and demand more time and resources than other types of cases, e.g. propaganda/incitement of hatred' <sup>(228)</sup>. In an interview with Radio Svoboda, Verkhovsky again stated that the number of hate crimes were decreasing thanks partially to police work, but also because the focus of the hate groups had shifted from an anti-Caucasian sentiment to an anti-Western sentiment <sup>(229)</sup>. Another one of DIS' interlocutors interviewed for a 2017 report, the journalist Grigory Shvedov, confirmed that the Russian police possibly have improved their handling of hate crimes against Chechens, and also stated that the nationalists since 2014 have focused more on the conflict in Ukraine <sup>(230)</sup>. According to the Committee against Torture, cited in the same report, the police have established centres to fight extremism which the organisation considered to be a rather repressive tool that have nonetheless been effective in fighting hate crimes and extreme right-wing groups <sup>(231)</sup>.

## 5.2 Penal system

According to a report by the Civic Assistance Committee, people from Chechnya are as a result of the two Chechen wars overrepresented in the penal system, whereas many prison guards were active in the wars on the Russian side and hence may have lingering animosity against Chechens. The NGO notes Chechens are among the group who most often complain about mistreatment within the penal system and are often also subject to religious discrimination in prisons <sup>(232)</sup>. In general, the physical abuse against inmates is by the US State Department described as systemic <sup>(233)</sup>.

## 5.3 Criminal cases against Chechens

According to a representative from Dosh, consulted by DIS, the prevalence of fabricated criminal cases against Chechens has decreased between the years 2000 and 2015. The Dosh representative further stated that there had not been any known recent occurrences of fabricated criminal cases targeting Chechens outside of Chechnya, though this had been a 'deliberate strategy' with a particular focus on North Caucasians by the police in the past <sup>(234)</sup>. Contrastingly, according to a 2017 FIDH report, the migrants from the Caucasus were often presumed to be guilty by law enforcement, especially in cases connected to violence and use of weapons <sup>(235)</sup>.

<sup>(228)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 107.

<sup>(229)</sup> FIDH – International Federation for Human Rights, Report on discrimination on racial, ethnic and religious grounds, 18 July 2017 ([url](#)), p. 28; Radio Svoboda, Центр "Сова": кто раньше ненавидел кавказцев, теперь ненавидит Запад [Sova Center: Who hated Caucasians in the past, now hates the West], 28 February 2018 ([url](#)).

<sup>(230)</sup> DIS, Russia: Citizenship, Living Conditions, Protection from Refoulement and Consequences of Leaving for citizens from the Former Soviet Republics in Russia & Hate Crimes and racially motivated attacks against Non-Slav Citizens in Russia, August 2017 ([url](#)), p. 27.

<sup>(231)</sup> DIS, Russia: Citizenship, Living Conditions, Protection from Refoulement and Consequences of Leaving for citizens from the Former Soviet Republics in Russia & Hate Crimes and racially motivated attacks against Non-Slav Citizens in Russia, August 2017 ([url](#)), p. 27.

<sup>(232)</sup> Civic Assistance Committee (The), On the situation of Chechen Republic and Republic of Ingushetia residents in the Russian penal system, September 2011 to August 2014, September 2014 ([url](#)).

<sup>(233)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 8.

<sup>(234)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 85.

<sup>(235)</sup> FIDH – International Federation for Human Rights, Report on discrimination on racial, ethnic and religious grounds, 18 July 2017 ([url](#)), p. 32.

Regarding fair trial in general and not related only to the Chechens, according to the US State Department report for 2017, judges faced pressures that could have an impact on the outcome of cases. The report, referring to a statement by the former Supreme Court Judge Tamara Morshchakova, further indicated that ‘judges were concerned by how their rulings would be seen by higher courts and often consulted with contacts in the higher courts to make a decision that would not cause them to lose favour or be later overturned’. According to Morshchakova, the people who could influence judges on rulings could include both superiors and local officials <sup>(236)</sup>.

There have been a number of high-profile cases in the last few years involving Chechens outside of Chechnya. In particular, five Chechen men were convicted of the killing of Boris Nemtsov in February 2015 and were sentenced to 11 to 20 years in prison <sup>(237)</sup>. However, according to several human rights groups and activists, at least the confession of Zaur Dadayev, the gunman, was extracted through torture <sup>(238)</sup>. In another high-profile case, several Russian citizens from the North Caucasus, including Chechnya, were in 2016 sentenced to 12 to 14 years of imprisonment for terrorism-related charges, even though according to their lawyers they were tortured and the terrorist charges allegedly fabricated <sup>(239)</sup>. The 15 defendants were arrested in Moscow in November 2013. They were charged with planning a terrorist attack on the ‘Kirgizia’ cinema in Moscow and were accused of being members of the banned organization Al-Takfir wal-Hijra, recognised by the Russian state as an extremist organisation. However, an expert on Islamic extremism working with Memorial claimed there are doubts if the group Al-Takfir wal-Hijra actually exists. In addition, the evidence used at the trial was allegedly dubious <sup>(240)</sup>.

## 5.4 Legal remedies

Although the Russian law contains several mechanisms for individuals to initiate lawsuits against authorities for human rights violations, according to the 2017 US Department of State report on human rights in Russia, these remedies did not work well in practice. In particular, the report noted that ‘the law provides that a defendant who has been acquitted after a trial has the right to compensation from the government. While this legal mechanism exists in principle, in practice it was very cumbersome to use’ <sup>(241)</sup>. Regarding remedies for European Court of Human Rights (ECHR) judgments concerning the North Caucasus region, the Russian Federation usually paid compensation quite satisfactorily, but ‘the execution of individual measures requiring new, effective investigations is problematic, to the point that the question arises whether there is a real political will to identify and prosecute perpetrators of human rights violations belonging to the security forces’ <sup>(242)</sup>. Regarding most individual cases related

<sup>(236)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 13.

<sup>(237)</sup> BBC, Boris Nemtsov murder: Five Chechens jailed for attack, 13 July 2017 ([url](#)).

<sup>(238)</sup> RFE/RL, Russia: Activist barred from visiting Nemtsov slaying suspects after torture claim, 12 March 2015 ([url](#)); FIDH, Russia: The UN reviews dramatic crackdown on civil and political rights in Russia, 16 March 2015 ([url](#)).

<sup>(239)</sup> Memorial Human Rights Center, Адвокаты заявили о фальсификациях в деле о подготовке теракта в Москве [Lawyers claimed terrorist charges to be fabricated], 19 April 2016 ([url](#)).

<sup>(240)</sup> Caucasian Knot, Advocates report on frauds in case of planned terror act in Moscow, 19 April 2016 ([url](#)); Caucasian Knot, Natives of the Northern Caucasus to face trial on charge of plotting terror act, 13 October 2015 ([url](#)); Caucasian Knot, Russian MIA completes investigation into case of preparing terror act in Moscow, 20 April 2015 ([url](#)); Caucasian Knot, Witness denies investigation data in case of planned terror act in Moscow, 18 April 2016 ([url](#)).

<sup>(241)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 15.

<sup>(242)</sup> Council of Europe - Parliamentary Assembly, Human rights in the North Caucasus: what follow-up to Resolution 1738 (2010)?, 8 June 2016 ([url](#)), p. 17.

to Chechens, the Court repeatedly stated that the Russian authorities failed to conduct an effective investigation <sup>(243)</sup>.

In an interview with DIS, a representative from Memorial stated that people can be deterred from filing complaints with ECHR, as relatives in Chechnya could be subject to pressure as a result <sup>(244)</sup>. Similar pressure can be exerted for other legal initiatives as well. In February 2018, Novaya Gazeta reported that Chechen residents who had made an appeal to the federal Prosecutor General in Russia in connection to alleged mass raids in Chechnya and the torture of two men suspected of planning to go to Syria by the Chechen security forces, were pressured and beaten by Chechen policemen <sup>(245)</sup>.

For more information, see also the EASO report *Russian Federation - State Actors of Protection* <sup>(246)</sup>.

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<sup>(243)</sup> Council of Europe - Parliamentary Assembly, Human rights in the North Caucasus: what follow-up to Resolution 1738 (2010)?, 8 June 2016 ([url](#)), p. 15.

<sup>(244)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 177.

<sup>(245)</sup> Novaya Gazeta, Итоги акции устрашения чеченского поселка Красная Турбина: жителей избили в РОВД за обращение к генпрокурору, задержанные признали свою вину [The results of the action of intimidation of the Chechen village of Krasnaya Turbina: residents were beaten in the ROVD for an appeal to the Prosecutor General, the detainees pleaded guilty], 17 August 2017 ([url](#)). See also: International Crisis Group (The), ISIS Returnees Bring Both Hope and Fear to Chechnya, 26 March 2018 ([url](#)).

<sup>(246)</sup> EASO, COI Report: Russian Federation – State Actors of Protection, April 2017 ([url](#)).

## 6. Reach of Chechen authorities outside Chechnya

### 6.1 Influence on the Chechen diasporas

#### 6.1.1 Establishment of representations for the Head of the Chechen Republic in other Russian regions

In Russian regions there are representations of the Head of the Chechen Republic. These representations have been established to ‘promote the development of trade, economic, scientific, technical, humanitarian and other ties of the Chechen Republic with the subjects of the Russian Federation located in the federal districts of the Russian Federation’<sup>(247)</sup>. For example, the Representative Office of the Head of the Chechen Republic in the Volgograd Region helps local Chechens by:

‘(...) consulting them on questions of applying to law enforcement bodies; assistance to students from the Chechen republic who study in the subjects of the Russian Federation, in matters of cultural activities; conducting ideological work on spiritual and moral education with an explanation of the foundations of traditional religion and Chechen mentality among Chechens living in the subjects of the Russian Federation and much more’<sup>(248)</sup>.

On the website of a Chechen government representative in Ivanovo region, it is stated that the purpose of the representative office is to maintain contacts and links with social movements of people originating from the Chechen republic and to protect the property and social rights of their compatriots living or temporarily residing on the territory of the Ivanovo region<sup>(249)</sup>.

The network of Chechen leader’s representations in the Russian Federation is quite extensive<sup>(250)</sup>.

#### 6.1.2 Kadyrov's method of collective responsibility

The federal law of November 2013 requires relatives of terrorists to pay financial compensation for material damages<sup>(251)</sup>. The law has been criticised by human rights advocates as a form of collective punishment<sup>(252)</sup>. In 2017, Kadyrov claimed in an interview that applying collective responsibility will solve ‘the problem of rebels and terrorists’, in Chechnya and in Russia as a whole<sup>(253)</sup>.

<sup>(247)</sup> Grozny Inform, О жизни чеченцев и роли Представительства Главы ЧР в Волгоградской области [On the life of Chechen and the role of the Representative Office of the Head of the Chechen Republic in the Volgograd Region], 1 June 2016 ([url](#)).

<sup>(248)</sup> Grozny Inform, О жизни чеченцев и роли Представительства Главы ЧР в Волгоградской области [On the life of Chechens and the role of the Representative Office of the Head of the Chechen Republic in the Volgograd Region], 1 June 2016 ([url](#)).

<sup>(249)</sup> Ivanovskij Dom nacional'nostej, Представительство Главы Чеченской Республики в Ивановской области [Representation of the Head of the Chechen Republic in Ivanovo region], n.d. ([url](#)).

<sup>(250)</sup> Ministry of the Chechen Republic on national policy, external relations, press and information, Адреса и телефоны представителей Главы Чеченской Республики в субъектах и федеральных округах Российской Федерации [Addresses and telephone numbers of representatives of the Head of the Chechen Republic in the subjects and federal districts of the Russian Federation], n.d. ([url](#)).

<sup>(251)</sup> RFE/RL, Russia To Hold Relatives Of 'Terrorists' Financially Responsible For Material Damage, 4 November 2013 ([url](#)).

<sup>(252)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 19.

<sup>(253)</sup> RT, «Я не хочу войны»: Кадыров о безопасности в Чечне, помощи Сирии и критике в свой адрес [“I do not want war”: Kadyrov on security in Chechnya, Syria's help and criticism in his address], 19 April 2017 ([url](#)). See also: OC Media, Kadyrov officially sanctions collective responsibility for families of terrorists, 20 April 2017 ([url](#)).



Several tactics are used for collective responsibility. One is burning down the houses of terrorists' relatives and evicting the relatives from the republic. Kadyrov commented on this policy in 2017: 'If they have a son or brother who chose the path of terrorism and if their family helps them (...) They [the relatives of militants] stay home unemployed, they receive pensions and benefits, they cover for their sons or brothers, help them financially to keep killing us; we will evict them' <sup>(254)</sup>.

In recent years, according to human rights defenders connected to Human Rights Watch and International Crisis Group, expulsion of insurgents' families is occurring more frequently in Chechnya, by all appearances at the initiative of local community leaders <sup>(255)</sup>. The case of the Bakharchiyevs was one of the most publicised of such cases <sup>(256)</sup>. Zelimkhan Bakharchiev's family, including his father, brothers, and cousins were evicted from Chechnya and fled to Ingushetia. The threats from Chechen officials continued and eventually the family left Russia <sup>(257)</sup>.

A representative from Memorial, Oleg Orlov, has described how Ramzan Kadyrov is trying to conduct the policy of collective responsibility at the federal level:

'(...) in different television talk shows, pseudo-analytical programs, people repeat without shame that collective responsibility is the norm. One of the main drivers of this policy is Ramzan Kadyrov, who tries to pursue it at the federal level. Attempts to influence the relatives of militants are carried out in Ingushetia and Dagestan. This is also being done through congresses of Muslim figures in Chechnya, through the direct communication of Kadyrov with the leaders of other regions, through close social and political figures' <sup>(258)</sup>.

According to Tanya Lokshina, relatives of people identified as insurgents by the government often have problems with welfare payments and employment in Chechnya, and are also regularly detained by police, searched, and interrogated. This is confirmed by Ekaterina Sokirianskaia, formerly connected to International Crisis Group, who states that women from the families of insurgents can lose their jobs, and the children can be expelled from school. The community is not allowed to help these families. This continues even if an insurgent is killed or arrested, as Chechen officials carry on monitoring and putting pressure on the family, and in particular on the sons (including minors). The only way out, according to Lokshina, is to either leave the republic or to publicly – often on TV - renounce the son or brother in question. In cases where relatives have travelled to Syria to bring home fighters, everyone has been imprisoned once they returned to Chechnya regardless of whether any criminal acts were committed <sup>(259)</sup>.

<sup>(254)</sup> OC Media, Kadyrov officially sanctions collective responsibility for families of terrorists, 20 April 2017 ([url](#)).

<sup>(255)</sup> Meduza, Guilty by blood, 31 October 2017 ([url](#)).

<sup>(256)</sup> Meduza, Guilty by blood, 31 October 2017 ([url](#)).

<sup>(257)</sup> Meduza, Guilty by blood, 31 October 2017 ([url](#)); OC Media, Kadyrov officially sanctions collective responsibility for families of terrorists, 20 April 2017 ([url](#)).

<sup>(258)</sup> Kavkazkij Uzel, Правозащитники констатировали усиление влияния Кадырова на чеченские диаспоры [Human rights activists noted the strengthening of Kadyrov's influence on the Chechen diasporas], 27 October 2017 ([url](#)).

<sup>(259)</sup> Meduza, Guilty by blood, 31 October 2017 ([url](#)).

## 6.2 Chechen law enforcement's reach to other parts of the Russian Federation

### 6.2.1 Disregard of federal jurisdiction and impunity of Chechen law enforcement (Kadyrovtsy)

Ramzan Kadyrov is the only regional leader in the Russian Federation who fully controls the security forces, referred to as the 'Kadyrovtsy'. They evolved from the personal security service of his father, Akhmat Kadyrov, into becoming a powerful paramilitary force that functioned as a private army. Kadyrovtsy were legalised in 2004 as interior ministry units <sup>(260)</sup>. Kadyrovtsy consist of 'the Kadyrov family's war-time militia and other former rebel fighters' and comprise both police and special forces units. The estimated number is between 5 000 and 20 000 men and they report directly to the republic's interior ministry (and hence, to Kadyrov). According to an article in The Telegraph, they are led by men bonded to Ramzan Kadyrov by 'blood, friendship, and shared battlefield experience' <sup>(261)</sup>.

Sources speak of the rule-of-law problems in Chechnya. The Kadyrovtsy were effective against the Islamist insurgency that the Chechen separatist movement over time transformed into <sup>(262)</sup>: the Caucasian Emirate, the local insurgent group, have been nearly destroyed and the number of terrorist attacks in the region have fallen significantly <sup>(263)</sup>, to 16 casualties in 2017 (14 law enforcement/security forces and 2 civilians) <sup>(264)</sup>. Human rights organisations have accused Chechen security forces of enforced disappearances, torture, extrajudicial executions, and collective punishment of Islamist insurgent's relatives <sup>(265)</sup>. Targets have been alleged armed insurgents and collaborators, 'local dissenters, independent journalists, Salafi Muslims, people who use drugs and other people the Chechen leadership deems "undesirable"' <sup>(266)</sup>. Kadyrov's security forces have also been linked, directly or indirectly, to a number of murders of political rivals, human rights activists, or journalists <sup>(267)</sup>.

In 2013, the European Committee for the Prevention of Torture called the problem of impunity of security and other officials in Chechnya 'acute' <sup>(268)</sup>. However, investigation of crimes by Chechen law enforcement is challenging even in Moscow <sup>(269)</sup>. According to the Carnegie Moscow Centre, Kadyrov 'believes that he and all other Chechens have a right to extraterritoriality and thus can be either punished or exempt from punishment for violating Russian law when they so choose'. By doing this, he removes himself from the jurisdiction of Russian authorities and the special services, who are described as 'displeased' by this independence <sup>(270)</sup>. A senior researcher at the Institute of International Relations in Prague and head of its Centre for European Security, Dr Mark Galeotti, confirmed this in an article for

<sup>(260)</sup> International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), pp. 4, 29; Telegraph (The), Ramzan Kadyrov: Putin's 'sniper' in Chechnya, 24 February 2016 ([url](#)).

<sup>(261)</sup> Telegraph (The), Ramzan Kadyrov: Putin's 'sniper' in Chechnya, 24 February 2016 ([url](#)).

<sup>(262)</sup> Telegraph (The), Ramzan Kadyrov: Putin's 'sniper' in Chechnya, 24 February 2016 ([url](#)).

<sup>(263)</sup> Interpreter (The), Assassination Attempt on Kadyrov Revealed As He Sparks New Scandal with Call to Execute Drug Addicts, 3 October 2016 ([url](#)).

<sup>(264)</sup> Caucasian Knot, Infographics. Statistics of victims in Northern Caucasus for 2017 under the data of the Caucasian Knot, 29 January ([url](#)).

<sup>(265)</sup> Telegraph (The), Ramzan Kadyrov: Putin's 'sniper' in Chechnya, 24 February 2016 ([url](#)).

<sup>(266)</sup> HRW, Russia: Anti-Gay Purge in Chechnya, 26 May 2017 ([url](#)).

<sup>(267)</sup> Telegraph (The), Ramzan Kadyrov: Putin's 'sniper' in Chechnya, 24 February 2016 ([url](#)).

<sup>(268)</sup> Council of Europe, Report to the Russian Government on the visit to the North Caucasian region of the Russian Federation carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 27 April to 6 May 2011, 24 January 2013 ([url](#)).

<sup>(269)</sup> International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), p. 30.

<sup>(270)</sup> Carnegie Moscow Centre (The), Will the Chechen Connection Lead to Ramzan Kadyrov?, 17 March 2015 ([url](#)).

Al Jazeera: '(...) Kadyrov is mistrusted and despised by many within the elite, including the heads of most of the security apparatus (...)'<sup>(271)</sup>.

The Telegraph quoted Nikolai Petrov, an expert on Russian regional politics at Moscow's Higher School of Economics, who stated that Kadyrov 'is believed to be able to call on 1 000 to 2 000 armed men in Moscow at any one time, and could move in another 20 000 quite easily'<sup>(272)</sup>. Another source estimate that several hundred Chechen security agents are currently in Moscow, where they reportedly 'are said to "tax" businesses and engage in other illegal activities.' Allegedly, local Russian police seem unable to intervene when their Chechen counterparts make arrests outside of their jurisdiction, and federal authorities have been blocked from investigating serious crimes implicating members of Kadyrov's inner circle<sup>(273)</sup>.

After the murder of Boris Nemtsov, a colleague to Nemtsov has publicly stated his belief that Kadyrov had wanted to eliminate Nemtsov<sup>(274)</sup>. According to the International Crisis Group, certain federal security officials tried to identify those who commissioned the murder of Boris Nemtsov, shot dead on 27 February 2015 near the Kremlin. This revealed 'the enmity of parts of the security structure toward Ramzan Kadyrov and [their] disagreement with the Kremlin over Chechnya'. However, the investigation into the murder was limited to identifying the perpetrators of the crime: five ethnic Chechens were detained and accused of murder<sup>(275)</sup>. A witness and alleged suspect managed to escape when armed men blocked the entrances to his native village until he had gotten away<sup>(276)</sup>. According to Carnegie Moscow Centre, 'the intrigue around Nemtsov's murder once again highlighted the fact that Kadyrov is a federal-level politician whose reach extends well beyond the Chechen border'<sup>(277)</sup>.

In April 2015, police from the Stavropol and other non-Chechen law enforcement officials killed a suspect in Grozny during an operation, without coordinating their actions with Chechen authorities. In response, Kadyrov ordered Chechen police to shoot colleagues who operate in Chechnya without authorisation<sup>(278)</sup>. Later Kadyrov said he had spoken 'emotionally'<sup>(279)</sup>.

Kadyrov does not hesitate to be seen with individuals wanted by the federal authorities. Novaya Gazeta reports that Ramzan Kadyrov posted a video recording of his meetings with his former adviser Shaa Turlaev on his page in the social network V Kontakte. Turlaev is listed on the federal and international wanted list on suspicion of involvement in contract killings<sup>(280)</sup>.

The Telegraph concludes, 'if the FSB and other agencies were looking to topple Mr Kadyrov, they appear to have failed'<sup>(281)</sup>. An anonymous source cited by International Crisis Group expresses concern that the impunity of Chechen law enforcement and leadership means that

<sup>(271)</sup> Galeotti, M., Chechnya's Kadyrov really 'dreaming' of quitting?, Al Jazeera, 28 November 2017 ([url](#)).

<sup>(272)</sup> Telegraph (The), Ramzan Kadyrov: Putin's 'sniper' in Chechnya, 24 February 2016 ([url](#)).

<sup>(273)</sup> Sokirianskaia, E., Is Chechnya taking over Russia?, The New York Times, 17 August 2017 ([url](#)).

<sup>(274)</sup> Gazeta.ru, «Я догадываюсь, кто заказчик» [“I guess who ordered it”], 10 March 2015 ([url](#)); Guardian (The), Chechen leader Kadyrov 'threatens whole of Russia', opposition says, 23 February 2016 ([url](#)).

<sup>(275)</sup> International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), pp. 29-31.

<sup>(276)</sup> International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), pp. 29-31.[url](#)

<sup>(277)</sup> Carnegie Moscow Centre (The), Will the Chechen Connection Lead to Ramzan Kadyrov? 17 March 2015 ([url](#)).

<sup>(278)</sup> Gazeta.ru, Кадыров разрешил огонь на поражение [Kadyrov allowed shot to kill], 23 April 2015 ([url](#)).

<sup>(279)</sup> Telegraph (The), Ramzan Kadyrov: Putin's 'sniper' in Chechnya, 24 February 2016 ([url](#)).

<sup>(280)</sup> News.ru, "Новая газета": Кадыров опубликовал видео с разыскиваемым МВД бывшим советником Турлаевым [“Novaya Gazeta”: Kadyrov published a video with the former Interior Minister's adviser Turlaev, wanted by the Ministry of Internal Affairs], 25 March 2018 ([url](#)).

<sup>(281)</sup> Telegraph (The), Ramzan Kadyrov: Putin's 'sniper' in Chechnya, 24 February 2016 ([url](#)).

seeking legal remedies might be useless as federal authorities appear to cover up all of Kadyrov's law-enforcement crimes in Russia and abroad <sup>(282)</sup>.

### 6.2.2 Tracing and transfer of wanted persons from other Russian administrative entities to the Chechen Republic

#### Tracking

According to a human rights activist consulted by DIS, '[i]n general, people from Chechnya can easily move and reside elsewhere in the Russian Federation' <sup>(283)</sup>.

Tracking of a wanted person by the Chechen authorities can occur in several instances. For example, when a person decides to get a job, to study or to see a doctor, registration must be shown. After registration, the person can be found by Chechen authorities, since the information on the new address will also be sent there <sup>(284)</sup>. Asked to clarify how this works in practice, Svetlana Gannushkina from the Civic Assistance Committee specified that once a person registers at a new address, the information will automatically be sent to the registry for the old address. This information can 'easily be obtained' by pursuers, either Chechen authorities or private individuals with a contact in the police department <sup>(285)</sup>. According to information gathered by DIS and originating from a source in a Western embassy, 'whether or not this information would actually be picked up and used actively by, in this case the Chechen authorities, is another matter. It would depend on how important the person was for the Chechen authorities. If the person was not important maybe nothing would happen' <sup>(286)</sup>.

Another possibility of being tracked down, according to the DIS report, is when a person who is on the federal wanted list travels on trains:

'On all trains and for all classes of travel one must present the internal passport when buying the ticket. However, the quality of the exchange of information between authorities in Russia is poor and it may be that a person who is wanted or searched by some authorities can go unnoticed when purchasing train tickets despite the fact that their internal passport and name is registered. It was added that whether or not the relevant authorities are notified and react to information received could be described as very "ad hoc" in Russia. It also depends on which authorities have initiated the search of an individual and whether or not it is a federal or a local search. If a person who is searched for on a federal level tries to leave Russia through an international airport, it is likely that FSB would receive that information and react on it. The border police are a department under FSB, whereas the ordinary police are a department under the Ministry of Interior' <sup>(287)</sup>.

After serving a sentence of imprisonment on the grounds of Article 208 of the Criminal Code (*Organization of an illegal armed formation or participation in it*), some Chechens do not dare to return to Chechnya and therefore settle in some other region of Russia. However, according

<sup>(282)</sup> International Crisis Group (The), Chechnya: The Inner Abroad, 30 June 2015 ([url](#)), pp. 32-34.

<sup>(283)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 71.

<sup>(284)</sup> Memorial Human Rights Center and The Civic Assistance Committee, Chechens in Russia, 2014 ([url](#)), p. 4; Caucasian Knot, Чеченцы в России. Доклад Комитета «Гражданское содействие» и ПЦ «Мемориал» [Chechens in Russia. Report of the Committee "Civil Assistance" and HRC "Memorial"], 22 January 2015 ([url](#)).

<sup>(285)</sup> Gannushkina, Svetlana, e-mail, 22 June 2018. Svetlana Gannushkina is head and co-founder of The Civic Assistance Committee.

<sup>(286)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 70.

<sup>(287)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 70.

to information from Memorial and the Civic Assistance Committee, Kadyrovtsy can find them anywhere in Russia. Another important factor which contributes to discrimination and persecution of Chechens found guilty under Article 208 is Law No 115-FZ 7 August 2001: *On Counteracting the Legalization (Laundering - Admission of the Author) of Proceeds from Crime and Financing terrorism*. In accordance with this law, The Federal Financial Monitoring Service of the Russian Federation (known as Rosfinmonitoring) regularly compiles and publishes a list in the governmental newspaper Rossiyskaya Gazeta, of the organisations and individuals that have been found guilty of involvement in extremist activities or terrorism. A person convicted under Article 208 will be included in this list, which is available online as the 'List of terrorists'. Inclusion on the list can mean anything from being denied a credit card to a lifelong stigma as a terrorist, essentially making the person an outcast and 'a convenient target for new persecutions' <sup>(288)</sup>.

### Transfer

A Western embassy cited by DIS in its report from its fact-finding mission to the Russian Federation in 2014 commented on the topic of transfer of wanted people to Chechnya from other parts of the country: 'the Chechen authorities may not use the official channels to search for people in other parts of Russia (...) the formal procedures for such transferrals are quite lengthy and the case would have to be substantiated by some evidence' <sup>(289)</sup>.

The sources consulted by DIS either did not know about judicial transfers of suspected supporters or relatives of the Chechen insurgents from other parts of Russian Federation, or only referred to older cases from 2008 to 2011 <sup>(290)</sup>.

An International Crisis Group analyst in Moscow told DIS that 'sometimes Chechen police detain people in other regions [of Russia], sometimes local law enforcement structures help them. The Chechen Ministry of Internal Affairs department on combating extremism is now under Kadyrov's people control. This department can operate all around the country' <sup>(291)</sup>.

In an article published in June 2017, Radio Free Europe/Radio Liberty (RFE/RL) draws attention to a case of a native of Chechnya who was almost captured in Bryansk by Chechen law enforcement for transfer to Chechnya. According to RFE/RL, 'the effort to take Amriyev to Chechnya reignited questions about the reach of Kremlin-backed Chechen leader's Ramzan Kadyrov's security forces, who have raised concerns several times in the past by carrying out operations in Moscow and other areas far from Chechnya' <sup>(292)</sup>.

Amriyev was detained by the Bryansk police on 4 June 2017 while on the train to Moscow. According to his lawyer, after the police formally released Amriyev on 6 June, he was taken to the transport prosecutor's office where law enforcement officials from Chechnya waited, demanding a handover. Amriyev managed to escape abroad, although he was later apprehended again after returning to Russia to renew a visa <sup>(293)</sup>.

<sup>(288)</sup> Memorial Human Rights Center and The Civic Assistance Committee, Chechens in Russia, 2014 ([url](#)), p. 7; Caucasian Knot, Чеченцы в России. Доклад Комитета «Гражданское содействие» и ПЦ «Мемориал» [Chechens in Russia. Report of the Committee "Civil Assistance" and HRC "Memorial"], 22 January 2015 ([url](#)).

<sup>(289)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 181.

<sup>(290)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), pp. 68-69.

<sup>(291)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 69.

<sup>(292)</sup> RFE/RL, Activists: Chechen Man Who Claimed Torture Narrowly Escapes Transfer To Grozny, 6 June 2017 ([url](#)).

<sup>(293)</sup> RFE/RL, Activists: Chechen Man Who Claimed Torture Narrowly Escapes Transfer To Grozny, 6 June 2017 ([url](#)).

## 7. Reception of Chechens returnees

According to the Russian authorities, in 2016 as many as 150 000 Russians repatriated to the Russian Federation from abroad <sup>(294)</sup>. The number of either Chechens or people from the Northern Caucasus returning to the Russian Federation in 2017 is unknown.

### 7.1 Legal aspects

The Russian legal system provide for freedom of movement including the rights to emigration and repatriation <sup>(295)</sup>. According to a BAMF/IOM Country Fact Sheet, there were no special programs or benefits available for returnees and they were ‘not treated as special or vulnerable persons.’ Like any Russian citizen, they can access the social welfare and free health care system and apply for necessary documents and registration to the Russian authorities. Some of the documents or state service can be accessed online through Gosuslugi, the Public Services Portal of the Russian Federation, or by applying in person at the MFCs <sup>(296)</sup>.

In case of loss of identification documents, e.g. travel documents, Russian foreign representations can issue a temporary one-way travel document which is the Certificate of Return to the Russian Federation <sup>(297)</sup>.

The Russian authorities provided some basic assistance in the framework of the State Programme for Assistance to Voluntary Resettlement of Compatriots Living Abroad to the Russian Federation targeting Russian citizens abroad <sup>(298)</sup>. However, this programme mainly provides assistance to Russian citizens or descendants living in former Soviet republics <sup>(299)</sup>.

### 7.2 Treatment of returnees by authorities

In a report by the German Foreign Office and cited by ACCORD, it is determined that there were in general no indications that Russian authorities systematically target Russian citizens either returning from abroad or applying for asylum. However, some specific social groups and high-profile asylum seekers were targeted and monitored by the authorities. Chechens in general were not targeted, but suspected insurgents are likely to be subject to repression upon return <sup>(300)</sup>. In the case of voluntary returns, IOM Moscow did not receive any reports from returnees to Chechnya about any kind of problems or conflicts with local authorities

<sup>(294)</sup> Izvestiya, Россияне разочаровались в Европе и возвращаются домой [Russians disappointed in Europe returned home], 9 March 2017 ([url](#)).

<sup>(295)</sup> US DoS, Country Reports on Human Rights Practices for 2017 Russia, 20 April 2018 ([url](#)), p. 36; ACCORD – Austrian Centre for Country of Origin and Asylum Research and Documentation, Query response on the Russian Federation: Situation of people who have returned after a negative asylum decision, 31 May 2016 ([url](#)).

<sup>(296)</sup> BAMF, IOM, Zif, Country Fact Sheet Russian Federation, 2017 ([url](#)), pp. 2, 6; Multifunctional Centres, n.d. ([url](#)); Gosuslugi, n.d. ([url](#)).

<sup>(297)</sup> Embassy of the Russian Federation - Washington DC, Свидетельство на возвращение в Россию [Certificate for return to the Russian Federation], n.d. ([url](#)).

<sup>(298)</sup> Government of the Russian Federation, Государственная программа по оказанию содействия добровольному переселению в Российскую Федерацию соотечественников, проживающих за рубежом [The State Program for the Promotion of Voluntary Resettlement to the Russian Federation of Compatriots Living Abroad], n.d. ([url](#)).

<sup>(299)</sup> Karelia Officialnaya, В 2018 году Карелия планирует принять не менее 300 соотечественников (In 2018, Karelia plans to take at least 300 compatriots), 22 March 2018 ([url](#)); PA Resettlement, Who is eligible to become a participant of the State Program of Resettlement of Compatriots to the Russian Federation?, n.d. ([url](#)).

<sup>(300)</sup> ACCORD, Query response on the Russian Federation, 31 May 2016 ([url](#)); Caucasus Knot, How to go to Europe and receive an "escapee" status there, 6 April 2016 ([url](#)); DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 64; RFI, Больше не убежище: как Франция начала высылать чеченцев [No more shelter: how France began to expel the Chechens], 2 March 2018 ([url](#)).

upon return to Chechnya, according to information conveyed to DIS in 2014<sup>(301)</sup>. Some sources however mention possible difficulties that Chechen returnees can encounter, even though there is a difference between non-voluntary and voluntary returnees, the latter who in general did not encounter any problems<sup>(302)</sup>. Ekkehard Maass, Chairman of the German-Caucasian Society, have explained that the primary fear of Chechens in Germany was to be shipped back to Russia, where they could face violence and ill treatment from the authorities<sup>(303)</sup>, for example the cases of re-education programmes for women<sup>(304)</sup>.

Former Islamic State fighters were monitored by the authorities, even though there were no official figures for male returnees<sup>(305)</sup>. Memorial stated in its 2016 report:

‘Overall, the small stream of “returnees” is still reasonably well monitored by the Russian security services. The number of Russian nationals who have been subject to criminal proceedings as a result of travelling to fight alongside radicalised Muslims is subject to a great deal of uncertainty, ranging from 477 to 800 depending on the officials cited.’<sup>(306)</sup>

In contrast to neighbouring Dagestan and the Russian hardline policy, the Chechen government and local activists took some steps to rehabilitate children and women returning from Syria and to a limited extent some fighters<sup>(307)</sup> although the Chechen authorities have been said to use the process to portray themselves as pacifistic<sup>(308)</sup> and gather intelligence about the Islamic State<sup>(309)</sup>. The number of returned children and women to Russia was 97 as of February 2018<sup>(310)</sup>.

In general, the authorities encountered many technical and legal challenges related to the return of these persons, including the identity verification of children born in Syria or Iraq<sup>(311)</sup>. The rehabilitation and returning process was not without potential risk for returnees from Syria, as they, their relatives or even friends might also be targeted by the Chechen authorities, according to an analysis by International Crisis Group. Nevertheless, with the tentative support from local authorities, a rehabilitation centre is to be built in Grozny to apply a more individual approach to returning women from Syria<sup>(312)</sup>. However, women returning from Syria were allegedly required to sign a document promising to appear before

<sup>(301)</sup> DIS, Security and human rights in Chechnya and the situation of Chechens in the Russian Federation, January 2015 ([url](#)), p. 64.

<sup>(302)</sup> AA (Auswärtiges Amt), Bericht über die asyl- und abschiebungsrelevante Lage in der Russischen Föderation, 5 January 2016, quoted in: BVwG, Entscheidungstext W215 1402384-5/12E, 7 April 2016 ([url](#)).

<sup>(303)</sup> Meduza, ‘We will set them straight’ In Berlin, an anonymous gang is terrorizing Chechen refugees for ‘choosing the wrong path’, 25 May 2017 ([url](#)).

<sup>(304)</sup> Caucasian Knot, Кавказоведы назвали нетрадиционным "перевоспитание" европейских чеченок [Caucasians called non-traditional "re-education" of European Chechens], 30 January 2018 ([url](#)).

<sup>(305)</sup> International Crisis Group (The), ISIS Returnees Bring Both Hope and Fear to Chechnya, 26 March 2018 ([url](#)).

<sup>(306)</sup> Memorial Human Rights Center, Counter-terrorism in the North Caucasus: a human rights perspective. 2014 – first half of 2016, 2016 ([url](#)), p. 15.

<sup>(307)</sup> Meduza, A mother repatriated from ISIS territory is sentenced to eight years in prison by a Dagestani court, 15 February 2018 ([url](#)); Jamestown Foundation (The), Ending Islamic State: Dealing With Women and Children Returnees in the North Caucasus, 26 February 2018 ([url](#)); International Crisis Group (The), ISIS Returnees Bring Both Hope and Fear to Chechnya, 26 March 2018 ([url](#)).

<sup>(308)</sup> Jamestown Foundation (The), Ending Islamic State: Dealing With Women and Children Returnees in the North Caucasus, Terrorism Monitor, 26 February 2018 ([url](#)).

<sup>(309)</sup> Aliyev, H., Families of ISIS Fighters Return to North Caucasus, The Central Asia-Caucasus Analyst, 23 May 2018 ([url](#)).

<sup>(310)</sup> New York Times (The), Raised by ISIS, Returned to Chechnya: ‘These Children Saw Terrible Things’, 24 February 2018 ([url](#)).

<sup>(311)</sup> Jamestown Foundation (The), Ending Islamic State: Dealing With Women and Children Returnees in the North Caucasus, Terrorism Monitor, 26 February 2018 ([url](#)).

<sup>(312)</sup> International Crisis Group (The), ISIS Returnees Bring Both Hope and Fear to Chechnya, 26 March 2018 ([url](#)).

a court, if charged with any criminal activity. Law enforcement agencies would make informal agreements with relatives and friends that the returnees would not be charged with a crime upon return, but despite these informal agreements there were cases of prosecution <sup>(313)</sup>.

Since 2015, there have been several high-profile cases of returnees who disappeared after their return to the Russian Federation from Europe or suffered ill treatment or otherwise were considered to be at risk after returning <sup>(314)</sup>. See also [Section 6.2.2](#). Moreover, according to a non-public country report by the German Foreign Office, quoted in a ruling by the Austrian Federal Administrative Court, Chechen returnees could potentially be targeted by the authorities in falsified penal procedures, in order to improve the crime-fighting statistics or the returnees could be suspected of having participated in militant activities <sup>(315)</sup>.

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<sup>(313)</sup> BBC Russia, Спасенную из Сирии уроженку Дагестана осудили на восемь лет с отсрочкой [Woman from Dagestan saved from Syria was given 8-year suspension sentence], 15 February 2018 ([url](#)); Caucasus Knot, Seven Chechen women from Syria released from criminal liability, 24 October 2017 ([url](#)).

<sup>(314)</sup> RFI, Больше не убежище: как Франция начала высылать чеченцев [No more shelter: how France began to expel the Chechens], 2 March 2018 ([url](#)); Caucasus Knot, Rights defenders report disappearance of Chechen native in Moscow, 22 July 2015 ([url](#)); Caucasus Knot, Natives of Chechnya deported to Russia not let out of Domodedovo for three days, 1 March 2016 ([url](#)); Snob, Пропавшие: как и куда исчезают россияне [Missing: how and where the Russians disappear], 20 July 2016 ([url](#)); ACCORD, Query response on the Russian Federation, 31 May 2016 ([url](#)).

<sup>(315)</sup> AA (Auswärtiges Amt), Bericht über die asyl- und abschiebungsrelevante Lage in der Russischen Föderation, 5 January 2016, quoted in: BVwG, Entscheidungstext W215 1402384-5/12E, 7 April 2016 ([url](#)).



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## Annex 1. Terms of Reference

### Chechens in Russia

1. General overview of Chechen community in Russia (outside North Caucasus)
  - a. Number of Chechens living outside the North Caucasus in Russia;
  - b. Geographical distribution;
  - c. Specifics of largest communities
2. Legal requirements:
  - a. Internal passport renewal;
    - i. Procedure;
    - ii. Practice;
  - b. External passport
    - i. Procedure;
    - ii. Practice;
  - c. Residence registration
    - i. Procedure;
    - ii. Practice;
3. Socio-economic circumstances
  - a. Introduction
  - b. Housing
    - i. Residence registration;
    - ii. Housing market in Russia;
    - iii. Housing circumstances of Chechens;
  - c. Education
    - i. Residence registration;
    - ii. School system in Russia;
    - iii. Access to education for Chechens;
  - d. Work
    - i. Residence registration;
    - ii. Labour market in Russia;
    - iii. Access to labour for Chechens;
  - e. Health Care
    - i. Residence registration;
    - ii. Health care system in Russia;
    - iii. Access to health care for Chechens
4. Vulnerable groups
  - a. Women
    - i. Married women
    - ii. Single women
  - b. LGBT
  - c. Children
  - d. Chechens eligible for military service
  - e. Human rights activists
5. Criminal justice system
  - i. Treatment by police (including identity checks)

- ii. Criminal cases against Chechens
  - iii. Reporting a crime
  - iv. Complaints procedure against the police
  - v. Legal remedies
  - vi. Access to lawyers
  - vii. Rights to appeal
- 6. Chechen authorities
    - a. Information exchange with Russian authorities
    - b. Role of Chechen community within information exchange
    - c. Cooperation with Russian authorities
- 7. Non-governmental support (groups) for Chechens in Russia
- 8. Situation of Chechen returnees

