

Title	Russia/Chechnya - "No Happiness Remains:" Civilian Killings, Pillage, and Rape in Alkhan-yurt, Chechnya
Publisher	Human Rights Watch
Country	Russian Federation
Publication Date	1 April 2000
Citation / Document Symbol	D1205
Cite as	Human Rights Watch, <i>Russia/Chechnya - "No Happiness Remains:" Civilian Killings, Pillage, and Rape in Alkhan-yurt, Chechnya</i> , 1 April 2000, D1205, available at: http://www.unhcr.org/refworld/docid/3ae6a86d8.html [accessed 9 September 2010]
Comments	Russian soldiers went on a rampage in the Chechen village of Alkhan-Yurt in December 1999, looting and burning dozens of homes and summarily executing at least fourteen civilians, according to the 32-page report. The report criticizes Russia's military and political leadership for failing to investigate the crime, and charges that Russia's military command is complicit to the abuses.



Russia/Chechnya - "No Happiness Remains:" Civilian Killings, Pillage, and Rape in Alkhan-yurt, Chechnya

SUMMARY

My bitterness is great.... No happiness remains for me in this world.

– Haji Vakha Muradov, the Mullah of Alkhan-Yurt, discussing the murder of his son Isa Muradov, December 15, 1999.

Anywhere, anytime I could recognize that soldier. I want him and the others responsible for the deaths of the people to be punished. I am ready to repeat my testimony anywhere, in any court.

– "Ibragim I.," recounting the murder of his uncle Ahampash Dudayev.

These weren't the troops we were expecting. On television, they talked about liberators, but instead a bunch of convicts and looters arrived.

– "Rustam R.," discussing the conduct of Russian troops in Alkhan-Yurt, December 16, 1999.

I swear to you with everything I have [seen], that in the Gudermes region, in the

north, I haven't seen anything like this anywhere. If you gather together this village, nothing like this has been done anywhere. What kind of a life is this?

– Nikolai Koshman, Russia's Deputy Prime Minister and Chief Representative for Chechnya, Alkhan-Yurt, December 17, 1999.

Don't you dare touch the soldiers and officers of the Russian army. They are doing a sacred thing today – they are defending Russia. And don't you dare sully the Russian soldier with your dirty hands!

– Major-General Vladimir Shamanov, commander of the troops at Alkhan-Yurt, dismissing calls for accountability for the abuses at Alkhan-Yurt.

On December 1, after weeks of heavy fighting, Russian forces took control of Alkhan-Yurt, a village with a peacetime population of about 9,000, located just south of Grozny.

During the two weeks that followed, Russian forces went on a rampage in the village, summarily executing at least fourteen civilians. They first expelled, temporarily, hundreds of civilians from Alkhan-Yurt, and then began systematically looting and burning the village, killing anyone in their way. Among the dead were: centenarian Nabitst Kornukayeva, and her elderly son Arbi, who were found shot to death in the yard of their looted home; fifty-seven-year-old Khamid Khazuyev, who was shot in the yard of his home when he tried to stop looting soldiers; Akhanpash Dudayev, sixty-five, who was killed in his basement, and his body burned in his looted home; and Taus Sultanov, forty-nine, who was shot in a cellar and left to bleed to death while soldiers robbed other civilians with him of their belongings. The killings went on for more than two weeks, without any apparent attempt by Russian authorities to stop it. Aindi Altimirov, the last to die, was killed and beheaded by Russian soldiers on December 18.

Nearly every villager from Alkhan-Yurt interviewed by Human Rights Watch said he or she had personally seen Russian soldiers looting homes. Villagers described how they watched, powerless, as soldiers loaded household goods – furniture, clothing, refrigerators, televisions, and the like – onto military trucks and stolen vehicles and hauled away their loot. When Deputy Prime Minister Nikolai Koshman visited Alkhan-Yurt on December 17, he personally saw military trucks and tents filled with loot from the village. "What I have seen is beyond everything I have seen before," the deputy prime minister exclaimed after being confronted with the evidence of the carnage.

According to many witnesses, soldiers also committed rape in Alkhan-Yurt. One woman gave Human Rights Watch the names of two women she personally knew who she said were raped, while a second witness told Human Rights Watch that five or six women had been raped, and that she was forced to hide her own daughters in a hidden earthen pit to prevent a similar fate. A third witness gave detailed information about a gang rape of a forty-two-year-old woman by a group of seven "*kontraktniki*," or contract soldiers. Distinct from recruits and officers, *kontraktniki* are men who sign short-term contracts for military service.

By early November 1999, a significant group of Chechen rebel fighters were present in Alkhan-Yurt, attempting to keep open an exit route out of Grozny. They refused to leave the village, repeatedly threatening to shoot village elders who tried to persuade them to leave and spare the village. The Chechen fighters, who included many foreign fighters among their ranks, inflicted heavy losses on the Russian forces, killing more than seventy Russian soldiers before abandoning Alkhan-Yurt. Russian forces indiscriminately shelled Alkhan-Yurt in November, destroying large parts of the village and killing at least eight civilians.

The Russian authorities have not taken serious steps to bring to justice those responsible for the

killings, rapes, torture, and other abuses in Alkhan-Yurt, closing their investigation "for lack of evidence of a crime." However, there are important clues to the identity of the perpetrators, or at least their units, which would allow a credible and independent prosecutorial body to bring those responsible to justice. At one point during the two week rampage villagers told the Russian commander in charge of Alkhan-Yurt what was happening, but he failed to take any perceptible actions to stop the abuses. Nor have steps been taken to prevent similar abuses in the future. Since Alkhan-Yurt, Russian forces have gone on two similar large-scale killing sprees, killing at least fifty civilians in the Staropromyslovski district of Grozny in December and January, and at least sixty-two civilians, possibly many more, on a single day (February 5) in the Aldi district of Grozny.

Russia's obligations to desist from the abuses documented in this report derive primarily from its obligations under Protocol II additional to the Geneva Conventions and under the European Convention for the Protection of Human Rights and Fundamental Freedoms, both of which Russia has ratified. The failure of the Russian authorities to establish accountability for abuses committed in Chechnya makes it essential for the international community to carry out credible and independent investigations into the atrocities, and take the necessary steps to assure accountability within Russia or on the international level.

RECOMMENDATIONS

To the Government of the Russian Federation:

Comply With International Humanitarian Law

- Direct all Russian Federation troops to cease violations of international humanitarian law, including summary executions, rape, pillage, and the deliberate destruction of civilian property; instruct Russian Federation troops that any such violations will be investigated and those found responsible will be brought to justice;
- Direct all Russian Federation troops to stop the indiscriminate or disproportionate use of force against the civilian population; take all necessary steps to protect civilian populations from the effects of military and police operations; and
- Undertake an immediate investigation of abuses committed by Russian Federation troops in Chechnya, including in Alkhan-Yurt, and prosecute those found responsible.

Provide Access for the OSCE, Human Rights and Humanitarian Organizations, and Media

- Agree to the immediate deployment in Ingushetia and Chechnya of an independent international mission, mandated to observe, investigate, and report upon the human rights and humanitarian conditions relating to the military operation in Chechnya; refer cases for investigation and prosecution to the appropriate Russian authorities, and provide assistance to Russian authorities in the carrying out such investigations; such a mission could be undertaken under the auspices of the existing OSCE Assistance Group, or another competent international agency;
- Agree to the deployment of and cooperation with any U.N. -sponsored mechanism that is established to investigate allegations of serious violations of international humanitarian law committed in the context of the conflict in Chechnya;
- Agree to requested visits by the U.N. Special Rapporteur on violence against women; the U.N. Chairman-Rapporteur of the Working Group on Arbitrary Detention; the U.N. Special Rapporteur

on extrajudicial, summary, or arbitrary executions; and the U.N. Special Rapporteur on torture;

- Accept offers of international humanitarian assistance for displaced persons in Chechnya and neighboring provinces;
- Guarantee safe passage for and unencumbered access to humanitarian aid delivery and distribution in Chechnya and neighboring provinces; and
- Allow full and unimpeded access for local and foreign journalists and national and international organizations covering the conflict in Chechnya.

To the United Nations:

Adopt a Resolution at the Commission on Human Rights

- The 2000 U.N. Commission on Human Rights (in session March-April 2000) should yield a resolution condemning the abuses being committed in Chechnya. The resolution should call on the Russian government to investigate these abuses thoroughly and bring those responsible to justice, and it should also establish a mechanism for a parallel, independent, thorough and sustained U.N. inquiry into alleged gross violations of human rights and humanitarian law committed in Chechnya.

Pursue Procedures of U.N. Special Human Rights Mechanisms

- The Special Rapporteur on violence against women, the Chairman-Rapporteur of the Working Group on Arbitrary Detention, the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on torture should vigorously pursue their requested visit to the North Caucasus. This initiative should be joined by the Special Representative of the Secretary General on Children and Armed Conflict.

To the Organization for Security and Cooperation in Europe:

Deploy an Expanded OSCE Assistance Group in the Region

On April 11, 1995, the OSCE established the Assistance Group to Chechnya. Its mandate, explicitly reaffirmed by all OSCE member states, including Russia, at the November 1999 Istanbul Summit, provides that it will, among other things, "promote respect for human rights and fundamental freedoms," and "facilitate the delivery to the region by international and nongovernmental organizations of humanitarian aid for victims of the crisis, wherever they may be located." The Assistance Group enjoys "all possible freedom of movement on the territory of the Chechen Republic and also on the territory of neighboring subjects of the Russian Federation, if so required for the performance of its tasks." Since the outbreak of hostilities in Chechnya in September 1999, the Assistance Group has not redeployed a permanent presence in the north Caucasus and its six-member team is currently based in Moscow.

- As is foreseen under the existing Assistance Group mandate, the OSCE should immediately deploy an expanded Assistance Group delegation to Ingushetia: to gather evidence of violations of human rights and humanitarian law being committed in Chechnya; to report publicly on any such abuses and make recommendations to the Russian government to curb abuses and hold those responsible accountable; and to monitor the treatment of displaced persons and advise the Russian authorities and international agencies with respect to needed humanitarian assistance;
- In accordance with the 1994 Code of Conduct on Politico-Military Aspects of Security, Articles 30

and 31, the OSCE must insist on Russia's obligations to investigate abuses committed by Russian Federation troops in Chechnya, including in Alkhan-Yurt, and prosecute those found responsible. The OSCE should insist that Russia keeps the Chair-in-Office and the OSCE Permanent Council informed on progress in this regard; and

- The OSCE Assistance Group should cooperate with any investigation undertaken by the Russian government, but any monitoring or other activities of the Assistance Group should remain independent and distinct from the activities of Russian government institutions.

To the International Monetary Fund, the World Bank, the European Bank for Reconstruction and Development and Bilateral Donors, including the Government of Japan:

Impose Conditionality on International Loans

- Immediately suspend payment of all pending loan installments payable to the Russian Federation for unrestricted general budgetary spending, including pending World Bank payments under its structural adjustment loans. Signal that such payments will not resume until the Russian Federation takes meaningful steps to limit the civilian toll imposed by its military operation in Chechnya. Such steps should include serious, transparent, and impartial investigations of abuses committed and accountability for those responsible, and acceptance of an international monitoring presence in Chechnya and Ingushetia and full cooperation with its activities; and
- Refuse to negotiate any new loans or to renegotiate any existing loans until the above steps are taken.

To the Council of Europe:

Contribute to an International Presence

- Provide whatever technical assistance would be appropriate to international monitoring or investigative missions deployed to Ingushetia and Chechnya; and
- Insist on the independence of its staff seconded to the office of the Presidential Representative on Human Rights in Chechnya, including their freedom of movement and their right of unfettered communication with the Council of Europe secretariat and with the public.

Commence Legal Actions before the European Court of Human Rights

- Member states of the Council of Europe should file interstate complaints against the Russian Federation at the European Court of Human Rights.

Instigate a Committee of Ministers Investigation

- As envisioned by its 1994 Declaration, the Council of Europe Committee of Ministers should set in motion a special investigation into Russia's compliance with its Council of Europe commitments.

To the European Union and the United States:

Insist on Accountability for Violations and Access for International Monitors

In a recent statement about alleged abuses in Chechnya before the United Nations Commission on Human Rights, Portuguese Foreign Minister Jaime Gama, speaking on behalf of the European Union, stated that a "serious and independent investigation must be carried out without delay in order that those responsible can be brought to account." Addressing the same forum, U.S.

Secretary of State Albright called for "a prompt and transparent investigation of all credible charges." To date, the Russian government has failed to undertake a serious investigation of abuses in Chechnya. It is therefore necessary for the U.S. and the E.U. to press forward for a two-track process of accountability involving both national and international inquiries. Specifically, the E.U. and the U.S. should:

- Continue to press the Russian Federation to undertake a thorough, transparent investigation of abuses committed in Chechnya and to hold those responsible accountable, warning that accountability is a non-negotiable minimum condition for enhanced political, economic, and security relationships with the Russian Federation;
- In light of the Russian government's failure to date to take meaningful steps to investigate and hold accountable those responsible for serious violations committed in the context of the conflict in Chechnya, sponsor and actively promote a resolution at the Commission on Human Rights condemning the abuses in Chechnya, particularly the summary executions, and calling for a sustained and thorough investigation conducted by a team of U.N. investigators;
- Press the Russian Federation to cooperate with the deployment of international monitoring and investigative missions in Ingushetia and Chechnya; and
- As envisioned in the December 6 decision of the E.U. General Affairs Council, E.U. member states should immediately dispatch their Moscow representatives to Ingushetia to monitor the human rights and humanitarian situation in the region. The U.S. government should take similar steps to monitor developments in the region.

Condition International Financial Assistance on an International Monitoring Presence and Accountability

- Oppose payment of any pending loan installments payable to the Russian Federation for unrestricted general budgetary spending, including pending World Bank payments under its structural adjustment loans. Assert the position that such payments should not resume until the Russian Federation takes meaningful steps to limit the civilian toll imposed by its military operation in Chechnya. Such steps should include serious, transparent, and impartial investigations of abuses committed and accountability for those responsible, acceptance of an international monitoring presence in Ingushetia and full cooperation with its activities, and meaningful steps to curb looting and the destruction of civilian property in Chechnya.
- Oppose any new loans or renegotiation of any existing loans until these same steps are taken.

BACKGROUND

The current military campaign in Chechnya started in September 1999. It was sparked by a Chechen armed incursion into the neighboring republic of Dagestan in August and several bombings in Russia in September, which the Russian government blamed on Chechen forces.

After advancing quickly through northern Chechnya, taking several towns without a fight – including Chechnya's second largest city, Gudermes – Russian forces began focusing their offensive on the Chechen capital, Grozny. In November, Russian troops fought hard to encircle the city and cut off supply lines from the south, with towns and villages south of Grozny, including Alkhan-Yurt, the scene of very heavy fighting.

Alkhan-Yurt is located about seven miles south of Grozny, on the strategically vital Baku-Rostov highway, which cuts east-west across Chechnya. It has a peacetime population of about 9,000, and

consisted of about 2,000 family compounds.

Because Chechen fighters had their positions on the outskirts of Alkhan-Yurt, most villagers had little contact with them. Both Russian and Chechen sources describe heavy fighting around Alkhan-Yurt, and there is evidence of significant Russian casualties. Chechen fighters based their position on the edge of the village in a group of unfinished houses that they reinforced with trenches, sandbags, and dug-outs. Russian forces tried to storm Alkhan-Yurt on several occasions, but were repeatedly repulsed by rebel troops in the entrenched Chechen positions. Russian casualties in the assaults were high, and several witnesses from Alkhan-Yurt reported being told that one Russian division had suffered more than seventy casualties. One witness told Human Rights Watch: "There was heavy fighting. From the words of the commander of the division, they lost seventy-two troops and about ten tanks and APCs [armored personnel carriers]."1

The residents of Alkhan-Yurt did not invite Chechen fighters to their town and did everything within their powers to get the fighters to leave the village. Many residents of Alkhan-Yurt expressed their anger toward the Chechen fighters:

The fighters were not defenders, they were not defending us but were there only out of their own interests. Every street of our village is visible from Sunzhan ridge [where the Russian firing positions were located]. Our village is not made for defense, but the fighters came anyway. Near the cemetery, there is a stand of woods, and there they dug their trenches. We asked and demanded that they leave, but they told us to leave and threatened to shoot.2

On November 16, Haji Vakha Muradov and three other respected elders from the village attempted to meet with the fighters to convince them to leave the village: "I begged them on behalf of the village, 'please leave our village, this is not a place for you to fight. The whole village will be on your side, just please leave.'"3 According to Muradov, the commander of the Chechen fighters replied that they would not leave, and reportedly said, "We cannot retreat from Russian soldiers. We are not going to hand the city [Grozny] over to them. We are not going to let the soldiers get to the city through this village. We are going to fight."4

Some of the fighters began threatening the respected village elders, ordering them to leave or be shot. The fighters began shooting their weapons in the air, and the elders decided to leave.5 The elders tried on several other occasions to convince the fighters to leave, without success.

According to many of the villagers, the Chechen fighters were split into two groups. A group of Chechen fighters of local origin obeyed the request of the elders and left Alkhan-Yurt around November 27. However, a significant group of fighters, including many non-Chechen fighters, refused to obey the elders and stayed on until their withdrawal just before the entry of Russian troops in Alkhan-Yurt on December 1. According to those who met with the fighters who remained behind, there were many foreign fighters among them: Arabs, Tajiks, Afghans, Kazakhs, and Uzbeks.6 One villager told Human Rights Watch: "Some of the fighters said they would not go because they had taken the vow of Ghazavat (jihad, or holy war). It was mainly the fighters from outside the village who refused to leave. There were also Arab fighters, and fighters of other nationalities, I could not understand their language."7

The elders also met with the Russian commanders, trying to convince them to stop shelling the village. On November 25, the Russian commanders presented an impossible "deal" to the Haji Vakha Muradov: remove the fighters from the village in exchange for sparing the village of further Russian fire. In effect, Russian forces that had been indiscriminately bombarding Alkhan-Yurt demanded that civilians pressure the fighters to leave the village, although the civilian leadership of Alkhan-Yurt was clearly powerless to do so.

According to Russian officials, Russian forces engaged Chechen fighters in a fierce fire fight in the last week of November on the outskirts of the village. Because the elders had apparently told the Russian command that the fighters were going to retreat, Russian forces were expecting no resistance. When the Russians first attempted to take the village on November 26, they were ambushed. Russian forces then retreated, bombarded the Chechen positions, and resumed their advance.⁸

On November 31, the Chechen fighters abandoned their positions near Alkhan-Yurt. When Russian soldiers finally entered Alkhan-Yurt on December 1, they faced no resistance from the local population.

Many interviewees told Human Rights Watch that when Russian troops first entered the town, they ordered all remaining villagers to stay in their cellars, allowing them outside only for a few hours a day. On December 5 at about 7:00 a.m., soldiers shot at nineteen-year-old Musa Adamov, wounding him in the foot, simply because he was standing outside his cellar without permission.⁹ On December 10, when Human Rights Watch interviewed thirty-nine-year-old Imran Eskayev, one of the first persons to leave Alkhan-Yurt after Russian forces had sealed the village, he explained the restrictions placed on civilian movement in the town by the soldiers:

The soldiers came and warned the people when they could leave the cellar and how they could leave the cellar. They cannot walk in the street. They can only be in their yards. This happens from 11 a.m. to 1 p.m. People are still in their cellars because they are afraid – if you saw the soldiers you would know why. They can come and loot the houses, beat the people, and humiliate them.¹⁰

DEATHS DURING THE SHELLING OF ALKHAN-YURT

Russian forces began shelling and bombing Alkhan-Yurt on November 6, and the bombardment lasted intermittently until December 1, when Russian forces finally entered Alkhan-Yurt. Shelling was particularly intensive on November 8 and during the final days of November, and caused an unknown number of civilian casualties and the widespread destruction of civilian property in the town. Russian forces indiscriminately shelled Alkhan-Yurt, forsaking their Geneva Convention obligations to take serious precautions to limit the loss of civilian life during military operations. Because of their experience with bombardment during the 1994-1996 war in Chechnya, civilians in Alkhan-Yurt were able to take precautions which limited civilian casualties in the bombing campaign: "We had already had some experience, the [first] war lasted many years. We had good [underground shelters], and many people slept there, and many slept in semi-cellar premises."¹¹ Human Rights Watch has received detailed information about eleven civilian deaths during the bombardment. However, because Human Rights Watch has been denied access to Alkhan-Yurt, we have been unable to gather exhaustive information about all civilian casualties that resulted.

Yunis Mezhinov, thirty-five, was one of the first killed by Russian warplanes when the attack on Alkhan-Yurt began. The circumstances of his death and condition of his body were described to Human Rights Watch by a neighbor, forty-six-year-old Sultan Magomayev, who helped prepare his body for burial.¹² According to Magomayev, when Russian warplanes started flying over Alkhan-Yurt on November 6, Yunis Mezhinov got into his car and attempted to go to a small stand of trees near the village to fetch a group of children who had gone to collect firewood. A Russian warplane fired a rocket ahead of his car, and the shrapnel of the rocket removed half of Mezhinov's head, killing him instantly. Mezhinov was a guard at a local bank during peacetime, and was not involved in the fighting. He was married, and had five children.

On November 8, three members of the Umarkhajiev family and a neighbor were killed in shelling. Lecha Umarmhajiev, thirty-nine, came home at about 3:30 p.m. on November 8 to find his brother, Issa Umarmhajiev, twenty-six, chopping wood in a shed in the backyard. Their home was on Lenin Street, not far from the outskirts. Their father, sixty-six-year-old Doka Umarmhajiev, and mother, Zara Umarmhajiyeva, sixty, were sitting nearby, the father sharpening knives and the mother talking to her husband and her son. Suddenly, an explosion hit the shed:

The shell [probably a rocket] hit the roof and exploded, and all three were injured. My young sister heard the explosion and cried out, and I ran in their direction. My sister was in the house, I heard her crying and also ran in that direction. I was trying to send the children into the cellar.

I saw all three were lying on the ground. I did not know what to do, I cried out to drive up the car because I wanted to go to the hospital in Urus-Martan. First, I saw my brother, he was face down. My mother was also near. Father was lying on his back, facing the brother and mother. I saw that my father was wounded in the head. My mother had lost two fingers and had an injury on her back.

The three men were taken by car to Urus-Martan. Lecha Umarmhajiev continued:

My father was on my front seat and his head was on my shoulder. On the way to Urus-Martan, I realized that he was dead already... when my neighbor started to cry, I realized my brother was dead also. When we reached the hospital, the second car arrived. We took mother to the hospital, and when the doctors were checking her, she died also.¹³

At the same time as the Umarmhajiev family was hit, several other explosions took place on Lenin street, the street in front of the Umarmhajiev house. Saparbek Abdulkhajiev was about fifty meters away from the explosion. He told Human Rights Watch, "They [villagers] were standing in the street, there was a big crowd. Then we heard the noise and three explosions."¹⁴ Abdulkhajiev believed the explosions were caused by rockets: "There was a hole in the roof and a small pit twenty centimeters deep. There was shrapnel. We can even bring you the rocket, they come in different makes, some iron, some copper. This one was aluminum, the pieces were light."¹⁵ The explosion in the street killed forty-one-year-old Sultan Abdulkhajiev: "I saw his body and participated in collecting what remained of him. From his upper legs to his chest he was in one piece, but the other parts were missing."¹⁶ Several others were injured, including Molsart Tulieyev, thirty-two, who received shrapnel wounds.

Lechi Elsunokayev, a thirty-one-year-old refugee from Grozny, was killed in late November when he attempted to leave Alkhan-Yurt with his children. A woman whom Elsunokayev had spoken to prior to attempting to flee Alkhan-Yurt told Human Rights Watch that Elsunokayev had told her that his wife had been killed earlier when they were fleeing Grozny to Alkhan-Yurt. The body of Lechi Elsunokayev was buried only on December 18 because the villagers were unable to identify him until the woman who had spoken to him saw and identified the body.¹⁷ Human Rights Watch has obtained several photos of the body of Lechi Elsunokayev taken in the location where he was found. The photos show him wearing civilian clothing lying near strewn-about bricks of a destroyed home, suggesting that he was killed during shelling. The photos indicate severe wounds to the lower right leg, as well as grave facial injuries.

Several other villagers were reportedly killed during the shelling, but Human Rights Watch does not have detailed information about their deaths. Musa Yakubov, around fifty, and Bilkis Madagova, about fifty, were killed during shelling in late November, reportedly by shrapnel from explosions near the market place in Alkhan-Yurt.¹⁸ Sharani Arsanav was killed in late November, or possibly in early December, when his house suffered a direct hit from a rocket; a witness interviewed by

Human Rights Watch participated in his burial on December 7, 1999.¹⁹

RUSSIAN SOLDIERS ENTER ALKHAN-YURT

Russian forces entered Alkhan-Yurt early on the morning of December 1 and went on a house-to-house search to ensure that no fighters were left in the village. In the process, serious abuses were committed: live grenades were thrown into cellars, looting started almost immediately, while many civilians were expelled to Kulary, a village about one mile to the west.

Donza Umarov, a sixty-five-year-old pensioner, told Human Rights Watch that on the morning of December 1 Russian soldiers came to the cellar where he was staying:

Early in the morning on December 1, someone knocked at the gates. My son asked who it was, but no one answered. Then I asked in Russian, "Who is there?" There was no reply again, but a grenade flew into the cellar. No one was killed or seriously injured when the grenade exploded, but I received several scratches on my face. [The soldiers later asked for directions, and left.]

Soon we again heard a knock at the gate. This time there were twelve soldiers. They said we shouldn't sit in the cellar because they throw grenades into them. It was better for us to stay outside. The soldiers broke the padlock of my son's house. They sat down, had some food, then took the rest of the products [from my son's home] and left. They mainly took the food, leaving nothing for us.²⁰

Similarly, Adem Taramov, thirty-four, told Human Rights Watch how soldiers opened the door to the large cellar where he and others were staying and threw in a grenade:

We were in the cellar of our apartment building, next to the school. We didn't hear the soldiers approach. Suddenly, the door was opened and they started firing their guns. Then, they threw a grenade at us. The grenade exploded, but we had sandbags and due to this only one man got a small wound in his head. There were fifteen or twenty people in the basement. Not far from our hiding place, there was another cellar, and the soldiers threw a grenade into that cellar too.²¹

In several cases, soldiers threw live grenades without warning into cellars inhabited by civilians, causing the deaths of at least three persons and contributing to the deaths of others.²² Three women staying in a cellar on Suvorov Street were killed in one such incident on December 1. According to forty-year-old Zara Israelova, sixty-five-year-old Maret Pashayeva, seventy-year-old Deti Temirsultanova, and Temirsultanova's daughter, thirty-five-year-old Sordat Temirsultanova, were hiding in a neighbor's cellar when soldiers came and threw grenades into the cellar. Deti Temirsultanova and her daughter, Sordat, died immediately, while Maret Pashayeva was severely wounded and taken to the hospital in Goyty, where she later died. All three women are believed to have been buried in Goyty.²³

Russian soldiers treated the villagers with contempt, swearing at them and threatening them. Fatima Ayubova, a thirty-two-year-old history teacher from Alkhan-Yurt, recalled how the soldiers had entered her cellar:

Soldiers broke the gate and came into the yard. I heard firing and the soldiers were saying bad things. They swore because they knew it is a humiliation for us to hear swearing as [Muslim] women. The mildest curses were, 'Look at these bitches, how rich they are,' and 'We will fuck you all.' I am sorry to have to repeat this.²⁴

According to several witnesses, a contract soldier went up to a five-year-old girl with earrings, and said "look, even small girls here have diamonds," and ripped off the earrings, tearing the ear lobes of the girl [the stones were imitation].²⁵

After checking many of the homes in the village, the Russian soldiers gathered a large group of civilian men and women at the edge of the village. According to several witnesses, the soldiers divided men and women into two groups, sent the women to Kulary, and started stripping the Chechen men, looking for telltale signs of fighting such as a bruised shoulder from firing rifles. Some of the contract soldiers began arguing with the conscript soldiers, suggesting that the men should be shot: "Why let them go? Let's shoot them down here."²⁶ In the end, the men were allowed to walk towards Kulary, the same direction the women had walked. Donza Umarov, a sixty-five-year-old pensioner, told Human Rights Watch:

They kept us in the field for three hours. They didn't speak to us, and didn't answer our questions. After three hours passed, they said, "If you want to live, go to Kulary." We tried to persuade the soldiers to let us go to our homes and take some clothes, but we were not allowed.²⁷

The ordeal for the civilians expelled from Alkhan-Yurt was not yet over: on the way to Kulary, they came under active shelling from tanks:

More than 150 people went to Kulary via the back roads. As we walked, we were shelled. The shells exploded around us on both sides of the road. We had to fall to the ground, and crawl until we could stand up again and run, then fall again. The Russians were "teasing" us in that way.²⁸

Thirty-one-year-old "Rustam R." (not his real name) was one of the men in Alkhan-Yurt when the Russian soldiers entered the town. "To tell the truth, we were actually expecting the soldiers, so the nightmare, the bombardment, might end," he began when recounting his experience to Human Rights Watch.²⁹ He was in a cellar with eighteen other civilians on December 1, when at 8 a.m., without any warning, machine gun fire rang out and an F-1 grenade was tossed into their cellar, wounding a woman. A young man in the cellar shouted out, "Don't shoot! There are women, old folk here!," and the Russian soldiers ordered the civilians to come out, the old men first. Rustam R., who served in the Soviet army, was struck by the appearance and rude behavior of the troops: "[They] were cursing, prison-slang like, 'you animals, faggots, you should all be shot.' They didn't have differing ranks, whoever was strongest was in command.... There were bearded and shaven ones, it was clear that they were not young."³⁰

The men and women were led toward the outskirts of town, with soldiers firing in the air to direct the group of civilians. Suddenly, Rustam R. and two other young men were taken out of the group and the soldiers began to prepare to shoot the three young men, with one saying "now let's finish it off." The parents of the other two men intervened, saving the three men from execution: "They began to scream and cry and he let [us] go, either because he took pity on us, or the Almighty stirred his conscience and he let me go. We were led back to the group."³¹

According to Rustam R., the soldiers started looting as soon as they entered Alkhan-Yurt. Many villagers had packed up their belongings in anticipation of a possible evacuation of the village. When the soldiers entered, Rustam R. claimed, they began to collect the packed belongings of the civilians:

First they carried away the bags, everything was packed into bags. Later the Ural [trucks] came along empty, to lug away everything piece after piece: rugs, they shot up the televisions, they searched for valuables, turned the houses inside out.... So these

three Ural [trucks] were seen at my place in the courtyard and there they took everything without exception: refrigerators, rugs, and televisions. They carried away everything and set the house on fire."³²

After being detained, Rustam R. and the others were finally told "If you want to live – there is the road to Kulary," and started walking in that direction. Rustam R. explained what happened as they started walking on the road towards Kulary, confirming what Umarov had told Human Rights Watch:

We had gone about three hundred meters, and the tanks were crawling slowly behind us. And so from Kulary, they began, left and right, to hit us with shells. Can you believe it! I swear by Allah, it is the truth! On the road they were not shooting, or mocking, but egging us on. We'd run forward and there would be a shot in that direction, to the left, to the right. When we crossed the bridge, they then stopped. Then I understood this had been taunting, they were directing us like livestock.³³

Rustam R. concluded bitterly: "These weren't the troops we were expecting. On television, they talked about liberators, but instead a bunch of convicts and looters arrived."

Protocol I article 51 states *inter alia*:

1. The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations. To give effect to this protection, the following rules, which are additional to other applicable rules of international law, shall be observed in all circumstances.

2. The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.

3. Civilians shall enjoy the protection afforded by this section, unless and for such time as they take a direct part in hostilities.

4. Indiscriminate attacks are prohibited. Indiscriminate attacks are:

(a) those which are not directed at a specific military objective;

(b) those which employ a method or means of combat which cannot be directed at a specific military objective;

or

(c) those which employ a method or means of combat the effects of which cannot be limited as required by this Protocol; and consequently, in each such case, are of a nature to strike military objectives and civilians or civilian objects without distinction.

6. Attacks against the civilian population or civilians by way of reprisals are prohibited.

7. The presence or movements of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.

Protocol II article 4 states:

1. All persons who do not take a direct part or who have ceased to take part in hostilities, whether or not their liberty has been restricted, are entitled to respect for their person, honour and convictions and religious practices. They shall in all circumstances be treated humanely, without any adverse distinction. It is prohibited to order that there shall be no survivors.

2. Without prejudice to the generality of the foregoing, the following acts against the persons referred to in paragraph 1 are and shall remain prohibited at any time and in any place whatsoever:

(a) violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment;

(b) collective punishments;

(c) taking of hostages;

(d) acts of terrorism;

(e) outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault;

(f) slavery and the slave trade in all their forms;

(g) pillage;

(h) threats to commit any of the foregoing acts.

3. Children shall be provided with the care and aid they require, and in particular:

(a) they shall receive an education, including religious and moral education, in keeping with the wishes of their parents, or in the absence of parents, of those responsible for their care;

(b) all appropriate steps shall be taken to facilitate the reunion of families temporarily separated;

(c) children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities;

(d) the special protection provided by this Article to children who have not attained the age of fifteen years shall remain applicable to them if they take a direct part in hostilities despite the provisions of subparagraph (c) and are captured;

(e) measures shall be taken, if necessary, and whenever possible with the consent of their parents or persons who by law or custom are primarily responsible for their care, to remove children temporarily from the area in which hostilities are taking place to a safer area within the country and ensure that they are accompanied by persons responsible for their safety and well-being.

Protocol II article 13 states:

1. The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations. To give effect to this protection, the following rules shall be observed in all circumstances.
2. The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.
3. Civilians shall enjoy the protection afforded by this part, unless and for such time as they take a direct part in hostilities.

SUMMARY EXECUTIONS

Not all of Alkhan-Yurt's civilians were forced to leave to Kulary on December 1: some five hundred civilians remained behind in Alkhan-Yurt when Russian troops went on a rampage in the village, looting and burning homes, killing at least fourteen innocent civilians, and raping a number of women. When the majority of Alkhan-Yurt's civilians had left on December 1, Russian forces in Alkhan-Yurt effectively sealed off the village, refusing to allow civilians in or out of Alkhan-Yurt, with the exception of some who were able to bribe their way through. Only on December 10 did the extent of the killing and other abuses in Alkhan-Yurt begin to seep out, as some villagers were able to bring news of the abuses to Ingushetia.

Because Russian military authorities have repeatedly refused Human Rights Watch access to Chechnya, the organization was not able to carry out an on-site investigation at Alkhan-Yurt. However, with the assistance of civilians from Alkhan-Yurt, Human Rights Watch was able to interview a significant number of direct eyewitnesses to many of the summary executions in Alkhan-Yurt, and thus build a detailed and accurate picture about what happened there. Our research was able to gather detailed information about eleven summary executions in Alkhan-Yurt, and more limited but credible information about an additional four summary executions; in addition three civilians were killed in an indiscriminate attack. In total, then, at least eighteen civilians were killed by Russian soldiers after they established complete control of Alkhan-Yurt. It is likely that there were additional victims whose cases remain undocumented for the moment.

Article 3 common to the Geneva Conventions, which applies to internal armed conflicts, strictly forbids summary executions. Common article 3 obliges the states:

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

1. Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- (a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- (b) Taking of hostages;

(c) Outrages upon personal dignity, in particular humiliating and degrading treatment;

(d) The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

2. The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

The Killing of Nabitst Kornukayeva and her son, Arbi Kornukayev (December 2)

Forty-year-old Zara Israelova told Human Rights Watch that she found the bodies of her distant relatives, Nabitst Kornukayeva, who was more than 100 years old, and Nabitst's son, sixty-five-year-old Arbi Kornukayev in the yard of their home near the Rostov-Baku highway on December 4. She had heard from villagers that the two had been shot by Russian soldiers on December 2 when they tried to leave their homes, and wanted to go see for herself what had happened.

Zara Israelova went to the home of Nabitst and Arbi Kornukayev after lunchtime on December 4. She found the bodies of her two distant relatives in the yard of the home:

Arbi's body was lying on the ground, he was cut to pieces by the bullets [witness makes a sweeping motion across her chest, indicating the path of the bullets]. There was dried blood all around him. He was wearing rubber boots and trousers. He was a driver and was wearing his uniform, and a knitted cap. The old woman [Nabitst] had rubber shoes, a dress, and an overcoat without sleeves. She also had bullet wounds across her chest – the sleeve of her dress was cut and her hand was wounded [by the bullets], and a bullet went through her breast. She was still holding the stick with which she walked. They were lying three meters away from each other, just near the stairs.³⁴

Zara said she saw tracks from armored personnel carriers (APCs) in the yard, indicating that Russian soldiers had been in the yard. The house had been completely burned to the foundation. According to a neighbor Zara spoke to, the house was looted by Russian soldiers on the afternoon of December 2, and the neighbor heard gunshots coming from the house at about 3:30 p.m., presumably the time when Nabitst and Arbi Kornukayeva were killed.³⁵

The Killing of Said-Magomet Janalayev and Alimkhan Dalakov in early December

Sultan Magomayev, a forty-six-year-old engineer, left Alkhan-Yurt on November 30 – before Russian forces seized the village – and returned to Alkhan-Yurt on December 15. When he returned, he and other neighbors began searching through the rubble in their neighborhood, trying to determine what had happened to neighbors who remained unaccounted for. At about 11:00 a.m. on December 15, a woman discovered the bodies of two young men buried under rubble, and called out to the others.

Sultan Magomayev told Human Rights Watch what he saw when he arrived: "The corpses were

covered with [metal] pipes, bricks, and planks on top. There was a small truck, and they were lying close to each other, partially covered by the truck. I made the others leave the yard, as I was afraid the bodies might be mined."³⁶ When the others left, Magomayev began removing the rubble from the bodies, finally exposing them after some thirty minutes. He then made a close inspection of the bodies, and later videotaped the traditional washing of the bodies in preparation for burial:

For about thirty minutes, I examined the conditions of the bodies. They were full of blood and mud, and there were traces of torture. I paid attention first to the hands, half of the nails were cut off, maybe with a knife. The wounds of the knives were very deep on their fingers, on both of the men. Then I understood that their hands had been burned on a fire, the skin on the hands was burned. Said-Magomet's right eye was missing, and his right thigh was broken, the same with his neck. There were two knife wounds in his stomach. There were bullet wounds on his right leg, several of them.

Alimkhan also had knife wounds on his fingers. He had bullet wounds in his back.... He had knife wounds on the shoulder and near his heart. The last [wounds were] the bullets in his back and the back of his head.³⁷

The videotape Sultan Magomayev provided of the washing of the bodies, although of poor quality, clearly shows the cuts on the fingers of the victims, the burns on their hands, as well as the bullet and knife wounds he described. On the tape, the men are dressed in civilian clothing, and there are no indications that they were fighters (such as characteristic bruises on the shoulders). Magomayev believed that the two had been killed sometime between December 3 and 6, because the bodies, while stiffened from rigor mortis, had not yet begun to decompose. The home where the bodies were found was on Lenin Street, close to the village mosque. The gates to the house were broken, and the house had been looted.

Said-Magomet Janalayev, about thirty, was unmarried and the main breadwinner for his family. Alimkhan Dalakov, thirty-two, was married and had three children: a three-year-old boy named Ramzan, a two-year-old daughter, and a newborn baby. They were buried at Alkhan-Yurt on December 18.

The Killing of Khamid Khazuyev (December 3)

Khamid Khazuyev, fifty-seven years old, was killed on December 3. Before they fled, neighboring villagers had given Khazuyev, a former police lieutenant, their household valuables for safekeeping. Khazuyev had been staying in a neighboring cellar on Tsentralnaya Street together with other villagers. On the morning of December 3, he announced that he wanted to go have a quick look at the condition of his home, and promised to come back soon. However, a long time elapsed and Khazuyev did not return. Worried about Khazuyev's fate, the elderly villagers in the cellar asked a young man, thirty-six-year-old Ruslan Muskhajiyev, to go to Khazuyev's house and find out what happened.

Ruslan Muskhaziyev told Human Rights Watch that he left the cellar at about 7:00 a.m., and went directly to Khazuyev's house. When he arrived at the home, he found that the yard of the home was filled with Russian soldiers; he decided not to come closer and to watch the events from a distance. He heard Khamid Khazuyev's voice amidst the soldiers, pleading with the soldiers not to loot the home. For about ten minutes, he listened as Khazuyev pleaded with the soldiers, and heard angry retorts from the soldiers. Suddenly, he heard seven or eight shots fired from an automatic rifle. He made his way to the home, and saw Khazuyev's body lying on the ground, shot: "When I saw Khamid lying on the earth, I ran back to the cellar. I told the story to the old people, saying that Khamid was shot."³⁸

When the elderly people heard about the shooting incident, they went to the house. According to Muskhajieyev, the soldiers were still there, and refused to allow the villagers to take away the body. There were two large green military trucks being loaded with goods from the house; one was parked in the yard of the home, the other parked on the street. After the soldiers looted the home, they set it on fire: "The soldiers first looted the house and then set it on fire immediately after they loaded the goods. They wanted to destroy the evidence of their looting."³⁹ Khazuyev was buried several days after the incident, around December 10, when the military officials finally gave permission for the burial.

In a separate interview, Zura Khazuyeva, Khazuyev's widow, confirmed the above account. She was not in Alkhan-Yurt at the time of the murder, but was able to visit the village for two days, December 15 and 16, 1999. She reported to Human Rights Watch that her female neighbors had told her that on the morning of December 3, they had seen a BTR (an armored personnel carrier with wheels instead of treads) pull up to the Khazuyev home: "twenty minutes later, they said, they heard, 'Kill him, kill him.' And they heard an automatic round."⁴⁰ Her neighbors also told her they saw cars driving away loaded with goods from her home. Upon inspecting her home, Mrs. Khazuyeva found that carpets were missing – her own and those belonging to other people. Closets had been hacked up, their doors missing.

She also described the burned state of her house, one of several buildings on her family compound. The fire apparently started in the basement:

I know very well that the basement is made of concrete and... couldn't catch fire on its own.... They threw something in it. Above the basement there are two rooms that had linoleum floors, and there were cracks, and apparently the linoleum caught fire and from there it spread throughout the rooms and higher, and the whole house burned.... It smelled of fire.... Everything was all black.⁴¹

The Killing of Akhanpash Dudayev (December 3)

Akhanpash Dudayev, a sixty-five-year-old gas station owner, and his relative, "Ibragim I." (not his real name), were staying in Dudayev's cellar when Russian forces entered Alkhan-Yurt at about 5:00 a.m. on December 1. The two went out into the street, and saw three APCs in the neighboring street. One of the APCs stopped at the house of Chovka Dardayeva, and the two men saw six soldiers enter the house and start taking out bags of flour and sugar. "I called to Akhanpash and we watched the soldiers together," Ibragim I. later told Human Rights Watch: "Some time later, Chovka's house was in flames. Akhanpash [Dudayev] said it would be better if we stayed in the cellar, and we went back in [to the cellar.]"⁴²

At about 11:00 a.m., two Russian soldiers who identified themselves as being from military intelligence came to the cellar and told the two men politely to stay in the cellar. Soon thereafter, another group of two soldiers came and tried to take Dudayev and Ibragim I. away, saying they had to check whether they were fighters. A group of neighboring women intervened, saying that the men were not fighters, but just an old man and his nephew. Ibragim I. related what happened next:

The soldiers agreed to leave us alone if we gave them some vodka. We said we had no vodka and could not get it anywhere. But they insisted, saying that if we did not bring vodka they would shoot the old man [Dudayev]. In the end, they realized we could not give them anything and left.⁴³

At 3:00 p.m., another group of three soldiers came to the house. Ibragim I. told Human Rights Watch that the commander of the unit complained to the men that seventy-six soldiers, including some of his comrades, had been killed during the fight for Alkhan-Yurt, and that he was lucky to

survive and deserved some rest. The commander took a Fisher tape deck from the house, and asked for some vodka before leaving.

A few days later, during the night of December 3 to 4, Dudayev and Ibragim I. heard some noises outside their cellar, and then a knock at the gates of the house. Dudayev called out in Chechen, and when he received no reply he asked in Russian who was there. Three soldiers entered, and Ibragim I. immediately recognized the commander who had come earlier, complained about the loss of seventy-six soldiers, and taken the tape deck: "I recognized the one who took the tape recorder, but this time his speech was very strange, as if he were drunk or under the effect of drugs. They started asking us many questions, not listening to our answers."⁴⁴ The men were asked where they were hiding their guns, how many Russian soldiers they had killed, and other similar questions.

After the brief questioning, the soldiers left the cellar; Dudayev and Ibragim I. tried to follow the soldiers, who forced them to remain. As soon as the soldiers left, they threw a grenade into the cellar. The two men dropped to the floor, attempting to save themselves by hiding behind their beds. Only the detonator of the first grenade exploded, but the soldiers threw in two more grenades which did explode. Ibragim I. told Human Rights Watch: "I got shrapnel wounds all over my body. I whispered to Akhanpash [to see] whether he was still alive. He hushed me, and told me to keep silent."⁴⁵ When interviewed by Human Rights Watch, Ibragim I. still had small shrapnel wounds all over his body from the exploding grenades, including on his face, neck, and left eye. His thumb was also bandaged.

After the grenades had exploded, the soldier returned to the cellar. Ibragim I. told Human Rights Watch what happened next:

I shut up and then heard someone coming in. They were the soldiers. They were lighting matches. First they came up to me. I closed my eyes and opened my mouth, pretending I was dead. My wounds on my face and neck were bleeding. Then the soldiers went to Akhanpash and lit the match. I heard Akhanpash ask the soldiers, "For God's sake, please don't shoot." But they shot him dead, emptying the whole cartridge clip.

There was a gas container in the cellar, which we used for cooking. The soldiers dampened a cloth with kerosene, opened the gas, and lit the cloth. Then they went out. I knew that if I didn't do something I would die. There were two small windows in the cellar, we covered them with flat wood from the outside and nailed it. I tried to open the first window but it was in vain. Then I went to the second one and pushed it hard with my shoulder. It began to give. I crawled out, and made my way into the neighbor's yard, crawling.⁴⁶

Ibragim I. first went to the cellar of Omar Yakubov's house, where a group of women gave him first aid. Because he was afraid that he might endanger the women if he remained at the house, he soon moved to the home of his aunt, which had been burned by the soldiers: "I knew the soldiers didn't enter burned or destroyed houses, so I hid myself in the thatch for several days." After hiding for four days, his wounds became infected and he was forced to come out of hiding and seek medical attention.

Sixty-year-old Lyoma Yakubov, a filling station worker, described to Human Rights Watch how he discovered the body of Akhanpash Dudayev, and participated in the burial: "On December 7 or 8, I went to Akhmed N. and offered to go and see what happened to [Akhanpash] Dudayev because I had not seen him for several days and I had also seen his home in flames."⁴⁷ Yakubov related what he found at the house when they arrived at about 11:00 a.m.:

So we went to Akhanpash's house. There was still smoke. I told Akhmed to stand back in

case there was a mine or something else, and went down the stairs to the cellar. I couldn't breathe because of the smoke and the bad smell. It was dark in the cellar. I lit the lighter I had on me. Their room was in total disorder. I noticed something in the corner just to the left of the door. I came closer and could see the flesh of the burnt man from the head to the knees. I called out to Akhmed, "He's here," meaning Akhanpash.⁴⁸

The two men then went to the house of a third neighbor, Kusam N., and asked him and others to help bury the body. "We put the remains of Dudayev's body on a blanket, wrapped them in a plastic bag, and buried him in his brother's house."⁴⁹

The Killing of Musa Gilkayev (December 4)

Musa Gilkayev, a man in his late thirties, lived on Demilkhanov Street. He was reportedly shot around December 4 by looting soldiers. According to Movladi Tadushayev, soldiers were looting the house of a neighbor, and Musa Gilkayev went into the yard of the neighbor's house to try to stop the soldiers, saying that the house belonged to his neighbor. The soldiers then shot Musa Gilkayev in the face. A witness who later viewed the body told Human Rights Watch: "I saw the body, his mouth was smashed by the bullets, those were his only wounds." Musa Gilkayev was buried on December 10, the same day as Khamid Khazuyev.⁵⁰

The Killing of Isa Muradov (December 8)

According to Haji Vakha Muradov, a seventy-five-year old Mullah (Muslim religious leader) of Alkhan-Yurt and a respected elder of the village, his son, forty-two-year-old Isa Muradov, fled to the neighboring republic of Ingushetia to seek refuge during the early stages of the Chechnya conflict, but returned to Alkhan-Yurt by way of Urus-Martan when he heard that Russian troops had taken control of Alkhan-Yurt. Isa Muradov stayed in the cellar of his father's house. On the evening of December 8, Isa Muradov told his father that he was going to have his supper in the house, and would spend the night on the veranda: "He had made a bed on the veranda, and taken a stool, and wanted to read a book," his father recounted to Human Rights Watch.⁵¹ Around 11:00 p.m., Vakha Muradov heard some shots, but was afraid to go out, because soldiers had threatened to shoot him on two occasions during the past days, most recently on the afternoon of December 8, the day of his son's death. Because he is hard of hearing, Vakha Muradov did not suspect that the shots had rung out in his own home.

Isa Muradov did not return to the cellar that night and still had not come back the next morning, when Vakha Muradov started worrying. Vakha Muradov told Human Rights Watch what happened next:

I thought that in the morning he would come back to the cellar. In the morning, when he wasn't there, I went to go find him. He was in the courtyard, all bloodied. He was shot right in the face, his left eye wasn't there and half of his nose was gone.... It was very difficult for me: There was a round of bullets fired into his stomach, around thirty bullets, they just let off a machine-gun round.⁵²

As with many other victims in Alkhan-Yurt, the military authorities refused to allow the family to bury the body immediately as required by Islamic tradition, a particularly bitter experience for the Muslim leader:

He lay on the ground for five days, we could not bury him. We asked permission every day from the commander of the regiment, Sergei Yuriyevich, [he] was the commander of the 15th regiment. He finally let us bury him [on December 13].... I could not bury my son according to Islamic tradition, not 1 percent. I just prayed to myself. My bitterness is

great.... No happiness remains for me in this world.⁵³

The Killing of Taus Sultanov (December 8)

Taus Sultanov, forty-nine, was staying in a cellar on Yuzhnaya Street together with four women and several men. Human Rights Watch interviewed fifty-year-old "Islam I." (not his real name), one of the men who was in the cellar with Sultanov on the night he was killed. According to Islam I., the group of villagers was sleeping in the cellar on the night of December 8 when they were awakened around 11:30 p.m. by a knock on the door and gunfire. When they opened the door, three soldiers (including one soldier who was masked) entered, shot at the ceiling and at the feet of the civilians, and ordered them to lie down.

The soldiers checked the villagers' passports, and "then they demanded that we give them vodka, wine, gold, and dollars."⁵⁴ The soldiers ignored the villagers' replies that they had no valuables, and then asked for *anasha*, or hashish. The soldiers, who appeared to be contract soldiers, said they had fought in Afghanistan and in the 1994-1996 Chechen war, and used nicknames when talking to each other, including "Zub" ("Tooth") and "Malish" ("Kid").

According to Islam I., when the men and women insisted that they had nothing to offer the soldiers, the soldiers replied that they would take one of the men away. They chose Taus Sultanov, the biggest and strongest of them, and ordered him to dress and follow them. Sultanov said that his boots were outside, and an argument ensued with the soldiers. One of the soldiers told Sultanov to go to the wall, when the contract soldier who went by the name of "Zub" lost his temper and fired his gun at Sultanov's feet. "Taus cried out something and fell down, then he started to choke and roll on the floor. We realized he was wounded. Anatoliy Golubin, one of the other men staying with us in the cellar, also received some wounds."⁵⁵

Sultanov lay bleeding on the floor, and the soldiers initially refused to allow first aid to be administered to him, saying Sultanov was drunk and not wounded. After a while, the soldiers allowed the women in the cellar to put cloth over the wounds. The soldiers then ordered the men and women out of the cellar, leaving the wounded Sultanov behind. Once outside, the soldiers began searching the men and women for gold and money: "We gave them what we had in our pockets. One man gave 500 rubles, another one 150 rubles, and my wife gave 160 rubles.⁵⁶ The soldiers threw back the rubles, saying it was not real money, [saying:] 'Give us dollars if you want to live.'"⁵⁷

The soldiers detained the men and women for hours. As the night dragged on, one of the soldiers told them that he wished he could kill all Chechens, "then Russia would be OK." Finally, at 4:00 a.m., Islam I. and his wife decided to end the crisis by giving the soldiers a pair of gold earrings, a traditional form of wealth in Chechen society. They asked the soldiers if they would agree to take the earrings and leave; one of the soldiers asked to see the earrings. The soldiers then ordered the men and women back into the cellar, saying they would return the next morning at 10:00 a.m. Early in the morning, Islam I. and another man, Magomet Timersultanov, went to the town to try and get help for the wounded Sultanov. Soon after they left, Islam I.'s wife came to inform them that Sultanov had died. When Islam I. went to speak to the doctor at the Russian *kommandatura* [command post] set up in Alkhan-Yurt, the doctor expressed his opinion that Taus probably would have survived if the soldiers had allowed the others to stop the bleeding in time.⁵⁸

The Killing of Alimpash Asuyev and Ibrahim Usmanov (December 9)

Movladi Tadushayev, twenty-nine, was living together with twenty-five-year-old Alimpasha Asuyev and thirty-four-year-old Ibrahim Usmanov at 5 Pushkina Street. At about 5:00 p.m. on December 8, Tadushayev left the house on Pushkina Street. When he returned the next morning, he found his

two housemates dead in the house:

On December 9 in the morning I returned, but did not find Ibrahim. Then I found Alimpash Asuyev shot dead. The second one [Ibrahim] was outside, also shot dead. He [Ibrahim] was shot and then he was hit with an axe. He was lying on his back, three bullets went through his neck. His forehead and eyes were smashed by the axe. The eyeballs were gone, smashed. He was lying just near the stairs, and his brains were everywhere, on the door and on the stairs.

Alimpash [Asuyev] was on the sofa. He had two bullets in his head, and one in the heart. There was lots of disorder in the house, I do not know what the soldiers took because everything was turned upside down.... They were both wearing sport trousers and T-shirts, I think it happened when they were going to bed. There was a boiled chicken and dumplings on the table, maybe they were preparing for fasting [to break the Ramadan fast at sundown].⁵⁹

That the house was in disorder, suggested that whoever had killed the two men had engaged in looting after the killings.⁶⁰

The killings of Ibrahim Usmanov and Alimpash Asuyev were confirmed by a number of other witnesses, including a retired police officer who had visited the crime scene. Suleiman Makhatkhajiyev told Human Rights Watch what he found at the house of Ibrahim Usmanov:

One of the bodies [Ibrahim Usmanov] was lying in the courtyard, just in the entrance, Alimpasha was just inside. We could see that they were getting ready to eat because there was a boiled chicken on the table, and dumplings. As a police officer, I can tell you that I concluded they were having dinner at the time the soldiers were looting. I saw bullet wounds on their bodies, maybe ten or fifteen on Alimpasha, and their faces were all shot up.⁶¹

Ibrahim Usmanov was married, and had a three-year-old son and a four-year-old daughter. Alimpash Asuyev was also married with two daughters, four and two. Russian military officials allowed the burial of the two men only on December 13, four days after they were found dead. The two men were buried at the cemetery of Alkhan-Yurt in a single grave.⁶² Four other people were buried in the Alkhan-Yurt cemetery that day: Taus Sultanov, Isa Muradov, Nabitst Kornukayeva, and Arbi Kornukayev.

The Killing of Aindi Altimirov (December 18)

According to sixty-six-year-old Buru Altimirov, his son, Aindi Altimirov, was killed and beheaded by Russian soldiers on December 18. Buru Altimirov told Human Rights Watch that he had set his cow loose on the morning of December 18 to go to drink at the river, and that his son Aindi went to look for the cow when it failed to return. However, according to Buru, "the cow came home but my son disappeared."⁶³

At the time of Aindi Altimirov's "disappearance," Russian forces had established a position on the Sunzha ridge, across the river from Alkhan-Yurt. The next day, on December 19, Russian forces left that position, and a group of young boys from Alkhan-Yurt discovered the remains of Aindi Altimirov and brought the news of their discovery back to the town. Initially, none of the boys wanted to bring the bad news to Aindi's father, but around midday Buru Altimirov was finally informed about the discovery of his son's body. Buru Altimirov immediately went down to the river. He told Human Rights Watch what he saw when he reached his son's body:

There I saw the headless body of my son, I recognized him by his clothes. The head was found down by the river by the boys, about three meters away. There were traces [marks in the grass] at his feet... and we could see the traces in the grass. In his hand, there was grass which he had pulled out.⁶⁴

Buru Altimirov believed the traces in the grass were left by the shuffling of his son's feet as he was being decapitated. The body was found on the grounds of the abandoned Russian encampment: all around, there were single-person dug-outs "like a chess set." Buru Altimirov could still see where the soldiers guns and equipment had lain on the grass. With the help of the young boys, Buru Altimirov loaded the remains of his son on his cart and took the body home. For the next two days, the Russian soldiers refused to allow the burial of his son. Finally, on December 21, the Russian officers allowed the family to bury Aindi Altimirov.

Aindi Altimirov was a fireman, and was married with a three-year-old son, Abdullah, and a three-month-old daughter, Asset. According to his father, Aindi Altimirov was well-liked in the village: "All the people in the village came to his funeral, there was not one who did not come. People respected him even though he was young."⁶⁵ His father told Human Rights Watch that his son Aindi was not involved in the fighting: "I never let him join any fighters or armed groups." Human Rights Watch has obtained several photos of the body of Aindi Altimirov.

The Reported Killings of Khavazi Nunayev (December 4); Ibrahim Hankurnanov (December 1); Adlan Gibertayev, early December; and Seyed-Emi Saydulayev, date of death unknown

Three of these deaths have been confirmed by multiple sources, but no detailed information is available about the specific circumstances of their deaths. Khavazhi Nunayev, about thirty-two, was reportedly shot by soldiers during looting on December 4. Ibrahim Hankurnanov, between twenty and twenty-two years old, was reportedly wounded by shrapnel when Russian soldiers entered Alkhan-Yurt on December 1, and is believed to have been run over by a Russian APC while laying wounded in the street: "He was wounded and could not run away. The APC first ran over his leg, then [reversed] over his body. It was not an accident, they ran over him twice. He was wounded on the street, then run over."⁶⁶ Adlan Gibertayev, the seventeen-year-old son of a Russian mother and Chechen father, was reportedly shot in his home by Russian soldiers in early December.⁶⁷ According to a list of the dead in Alkhan-Yurt provided to Human Rights Watch, Seyd-Emi Saydulayev was also shot and killed in his home, but no date of death is given.⁶⁸

PILLAGE AND DESTRUCTION OF CIVILIAN PROPERTY

Nearly all of the killings committed by Russian soldiers in Alkhan-Yurt were reportedly carried out by soldiers who were looting. Many other civilians who attempted to stop the looting were threatened with death by Russian soldiers, and narrowly escaped execution. The looting of Alkhan-Yurt was systematic and organized, involving a large number of soldiers who acted with impunity throughout their stay in the village. Looted goods were stored in the homes occupied by Russian commanders as well as the tents of soldiers, and were transported openly in military vehicles out of Alkhan-Yurt. It is simply impossible that such widespread looting could take place in broad daylight without the knowledge and, at a minimum, the tacit consent of Russian commanders. The looting that took place in Alkhan-Yurt was not an isolated incident of such misconduct by Russian forces in Chechnya: since the beginning of the Chechen conflict, Russian troops have been systematically looting villages and towns under their control, and there is no evidence that the Russian command has taken any steps to prevent it.⁶⁹

Nearly every Alkhan-Yurt villager interviewed by Human Rights Watch was either a victim of looting by Russian soldiers, knew of other victims, or witnessed the looting of other villagers' homes.

Witnesses told Human Rights Watch that they watched as soldiers loaded household goods – furniture, clothing, refrigerators, televisions, and the like – onto trucks and armored personnel carriers. When Russian Deputy Prime Minister and Plenipotentiary Representative to Chechnya Nikolai Koshman and Malik Saidulayev, one of the most prominent of pro-Moscow Chechen leaders, traveled to Alkhan-Yurt on December 17, 1999, to investigate allegations of abuse by Russian troops, they found extensive evidence of looting by Russian soldiers (the visit, which was videotaped, is discussed at length below). Some villagers said that when they were finally allowed to walk in the streets, they were still required to carry white flags. According to Lidia Alikhanova, an obstetrician, "Everybody was walking with white flags, small children too."⁷⁰

Buru Altimirov, whose son Aindi Altimirov was killed by Russian soldiers (see above), told Human Rights Watch how soldiers had come to loot his home. The gates to his house and his cattle pen had been destroyed during shelling, and after midday on December 5 a group of five soldiers drove into his yard with a military truck:

They took the carpets, mattresses, pillows, blankets, television, video, the fridge, a bag of potatoes, all the winter [food] reserves such as jams. I was at home when they came, outside. Two soldiers stood, [one] on each side of me, aiming their guns at me and telling me not to move.⁷¹

On an earlier occasion, two soldiers had come to Buru Altimirov's house, and one of the soldiers had aimed his gun at him, saying that "You must all be shot." Altimirov was saved when the other soldier intervened.

Haji Vakha Muradov, whose son Isa was killed by Russian troops (see above), also was repeatedly threatened by Russian troops. On December 8 at about 6 p.m., just hours before his son was killed by Russian troops, Muradov came home from checking on his cattle and surprised several soldiers who were looting his home: "The soldiers were coming out of my room with bags in their hands [and] put me up against the wall." He pleaded with them to save his life, explaining he was a religious leader: "Don't you Russians believe in the pope? I am the pope of this village." The soldiers then left. Just a few days earlier, on December 4, he had surprised another group of soldiers:

They came out of another room of my house, and put me up against the wall under the awning. They had bags filled which were completely full, coming out of the girls' room. The house was all destroyed and they were taking all the clothes. They asked, 'Who are you?' I said I was a member of the village council for forty years. They said, 'Don't touch the old man,' and left: twice I was saved from death.

Everything in the house is out of place, they trashed the place. It is hard to know what is missing. They come to your place ten, fifteen times. I have three buildings [in my homestead compound], and they took the televisions and carpets in all.⁷²

Shamkhan Hadayev, fifty-six, remained in Alkhan-Yurt to guard his own home and those in his neighborhood. He was hiding in a small woods near the village, and watched soldiers come to his neighborhood on December 12:

The soldiers came on tanks and APCs. They had a trailer, which they took from a neighbor's yard. They loaded it with armchairs, televisions, video players, sofas. I have two daughters, and all their clothes were taken. This took maybe an hour, there were so many soldiers that they could do it quickly. It is difficult to count when you are hungry, but there were more than fifteen soldiers.... That is when I realized I had nothing left, and went to Urus-Martan.... They started with my house, then went to Arbi T.'s house

and broke the gates to his house with their APCs, and after that to Magomet N.'s house.... In the neighboring street Vakha H.'s house, my cousin, was looted.⁷³

Shaarani Avtayev, a forty-three-year-old driver from Alkhan-Yurt, was forced to leave Alkhan-Yurt for Kulary along with many other villagers on December 1. On December 13, he managed to return to Alkhan-Yurt to find out what happened to his home. In Kulary, he was forced to pay 200 rubles (about U.S.\$7.50) to contract soldiers serving among the Ministry of Internal Affairs troops in order to be allowed to enter Alkhan-Yurt. Avtayev paid the money, and was taken to Alkhan-Yurt in an APC, along with two other men from the village. Shaarani recounted to Human Rights Watch what he saw when he arrived at his home:

I only got to stay five or ten minutes. The soldiers took me to my house, and then back to Kulary. My house was burned, only the walls were standing. The gates were broken down. My car was no longer in the garage, it was taken by soldiers. I paid the 200 rubles to contract soldiers from the Ministry of Internal Affairs, the ones who were looting were also contractors from the Ministry of Internal Affairs. Seventy percent of the homes on my street were damaged and burned.... Now I have only the clothes which I took with me as a refugee.... The soldiers took my TV set, carpets, furniture, refrigerator. I looked inside the house and there was nothing, they even took the iron stove.⁷⁴

Villagers did what they could to stop the looting, aware that soldiers had executed many who had resisted it. Villagers began registering the license plates of the military vehicles that soldiers were using to loot, and ultimately turned this information over to Nikolai Koshman, deputy prime minister and the Russian government's chief representative in Chechnya, when he visited Alkhan-Yurt on December 17. When the looting soldiers realized that their license plates were being recorded, they began using other forms of transport: "When the soldiers realized we were registering the cars, they took to local transport, or what was left of it – tractors, trailers, wagons – and with these, they carted the things away."⁷⁵

RAPE IN ALKHAN-YURT

Chechen society has strong taboos against revealing instances of sexual assault. Chechnya's Muslim culture and national traditions strictly regulate relations between men and women, and inappropriate behavior is subject to severe and often violent sanctions; the use of sexually explicit language in front of women is considered gravely offensive. Unmarried rape survivors are unlikely to be able to marry, and married women who are raped are likely to be divorced by their husbands. These factors make it difficult to document cases of rape and sexual abuse in Chechnya.

Almost all witnesses from Alkhan-Yurt told Human Rights Watch that Russian soldiers in their village were often drunk, and used deeply offensive, sexually explicit language when talking to villagers. Soldiers often entered homes and cellars, they said, asking for young women to have sexual relations with.

At least three women are believed to have been raped by Russian soldiers in Alkhan-Yurt during the first two weeks of December. "Fira F." (not her real name), a thirty-two-year-old woman from Alkhan-Yurt, provided Human Rights Watch with the names of two women who had told her that they were raped by Russian soldiers. One of the women is twenty-five and married, the other woman is an unmarried twenty-year-old woman whom Fira F. knows well. Fira F. told Human Rights Watch that soldiers were frequently drunk and would ask the villagers for vodka and young women, saying "We have not been with a woman for a long time, we need a woman." She said that it is possible that more cases of rape occurred but that "even if it's true, people will not speak about it."⁷⁶

A second woman from Alkhan-Yurt interviewed independently by Human Rights Watch provided another account of rape in Alkhan-Yurt. Belita Zarakayeva, fifty-five, believed that five or six women had been raped, "including one old woman like me. At night at 2:00 or 3:00 a.m., the soldiers came into the cellar. Some soldiers would stand guard, aiming their guns at [the people in the cellar] while the others were raping." She had heard that this account from other villagers who were present in the cellar, and said that many people refused to discuss the issue of rape: "A lot of women were raped, but our people won't talk about it – these women have to marry."

Belita Zarakayeva broke out in tears as she described the extreme precautions she and her neighbors had to take to protect their young daughters from rape:

There were five young women with us in the cellar: my three daughters, twenty-six, twenty, and twelve, and our neighbor's girls, eighteen and nineteen. We made a pit outside in the yard near the stables. We put a pipe [for air] in the pit, covered it with earth, and the five girls were staying in that pit. The soldiers used to come by and say, "where are the young girls, we need three girls for each soldier." So we kept the girls in the pit.⁷⁷

The girls, she said, were kept there for several days.

A third witness from Alkhan-Yurt, forty-year-old "Sultan S." (not his real name), also told Human Rights Watch about a case of rape: "Seven contract soldiers raped a woman in our village. It is a savagery. Her family lives near the cemetery; there were few people left in that part of the village. They [the soldiers] pulled her husband out in the street and then raped her. The woman is not young, she is forty-two or forty-three. I know the woman's name, but it is against our traditions to name her."

Rape is considered a war crime under Protocol II additional to the Geneva Conventions, which prohibits in its article 4 (Fundamental Guarantees), "at any time and at any place whatsoever ... outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault."⁷⁸ In recent years, the Ad-Hoc International Criminal Tribunals established in the aftermath of the wars in Rwanda (ICTR) and the Former Yugoslavia (ICTY) have indicted and convicted several persons for rape as a war crime.

THE RESPONSE OF THE RUSSIAN AUTHORITIES

There has been no serious attempt by Russian authorities to bring to justice those accountable for the crimes committed at Alkhan-Yurt. Credible testimony suggests that military officers and top commanders in the region had knowledge of what was transpiring as it was happening and, at best, chose to ignore it. In mid-December, Deputy Prime Minister Nikolai Koshman visited the devastated village and promised an investigation. The military procuracy⁷⁹ opened an inquiry into the events at Alkhan Yurt, but later closed it for what is said was lack of evidence that any crime had taken place.

The December 17 Visit of Nikolai Koshman and Malik Saidulayev

On December 17, 1999, Russia's highest ranking representative for Chechnya, Deputy Prime Minister Nikolai Koshman, and Malik Saidulayev, one of the most prominent of pro-Moscow Chechen leaders, traveled to Alkhan-Yurt, Saidulayev's native village, to investigate allegations of serious abuses by Russian forces there. Much of the visit was filmed by a member of Saidulayev's entourage, and shows the outraged reaction of Deputy Prime Minister Nikolai Koshman to the abuses committed in Alkhan-Yurt.

Koshman and Saidulayev are seen on the videotape walking around the devastated village, listening to distraught villagers telling them about summary executions, looting, the burning of homes, and other abuses committed by Russian soldiers. As they went through the village, Koshman and Saidulayev discovered several caches of goods looted by Russian soldiers, including a tent stuffed with blankets and carpets and a military truck fully loaded with video players and other electronic goods. At one point, Saidulayev found some of his own dishes among the goods looted by the soldiers, and, pointing them out to Koshman, said: "The dishes are from my house." Repeatedly, the villagers and Saidulayev identified the soldiers responsible for the abuses as the 15th Battalion, part of the Western Group of Forces under the command of Major-General Vladimir Shamanov.

The danger faced by the civilians of Alkhan-Yurt was clearly demonstrated by an incident on the videotape: as Koshman exits a house where he had inspected looted goods, nearby soldiers threaten to shoot him, obviously unaware they are addressing a deputy prime minister. Major-General Vakha Ibragimov, leaving the house after Koshman, yells at the soldiers, telling them, "Do you know who you are talking to? This is not like torturing women!" The soldiers appear intoxicated, and initially refuse to identify themselves to Koshman or Ibragimov, despite direct orders to do so.

Koshman is shown as clearly affected by the evidence of atrocities presented to him in Alkhan-Yurt. "I swear to you, with everything I have [seen], that in the Gudermes region, in the north, I haven't seen anything like this anywhere. If you gather together this village, nothing like this has been done anywhere," he exclaims to the local villagers. When a local villager suggests that the commander should be tried, Koshman quickly agrees: "There is no doubt about that. What I have seen is beyond anything I have seen before." "In the village, with the exception of this street, everything is destroyed," concludes Koshman. Koshman is heard promising the villagers that the prosecutor will come, "today, if not, then tomorrow."⁸⁰

Establishing the Identity of Those Responsible and Command Responsibility

Russian soldiers in Chechnya frequently take evasive action in order to make it difficult for victims of abuse to identify them at a later date. Soldiers have often removed their insignia and other identifying marks from their uniforms, traveled around in unmarked military vehicles with the license plates covered up or in stolen civilian vehicles, referred to each other by nicknames, and covered their faces with balaclavas, or knit cap that covers the head and neck, in order to make identification difficult. However, there are important clues as to the identity of the perpetrators, or at least their units, which would allow a credible and independent prosecutorial body to bring those responsible to justice. Unfortunately, at present the responsible Russian authorities, particularly the military procurator, have shown no real interest in investigating the abuses in Alkhan-Yurt or bringing those responsible to justice.

As indicated in the testimonies above, witnesses have consistently identified *kontraktniki*, contract soldiers who work on short-term contracts, as responsible for many of the abuses in Alkhan-Yurt. According to many witnesses, the *kontraktniki* responsible belonged to the Ministry of Interior troops, rather than regular army troops.⁸¹ In addition, Human Rights Watch has been able to establish that the 15th Battalion, part of the Western Group of Forces under the command of Maj.-Gen. Vladimir Shamanov, was in Alkhan-Yurt during the time these abuses were committed, a conclusion also reached by Russia's representative for Chechnya, Nikolai Koshman, as well as by non-Russian journalists.⁸²

The Russian military authorities are clearly aware of precisely what units were present in Alkhan-Yurt during the periods in which looting and atrocities occurred. The units in Alkhan-Yurt were there as part of a coordinated military campaign, and military authorities clearly have access to

information about their movements and location, as this is essential for effective operations and planning. The essential information about the composition of units and the identity of the troops present in Alkhan-Yurt is indisputably in the hands of Russian military authorities. The authorities have not released this information, however, and there is no evidence that they have taken steps to bring those responsible for criminal actions to justice.

One of the more troubling questions about the abuses in Alkhan-Yurt is why the killings and looting were allowed to go on for so long. Several sources indicate that because of the heavy losses Russian forces had encountered during the battle for Alkhan-Yurt, the soldiers were "given" the village to do with as they pleased. "Lecha L." (not his real name), a thirty-three-year-old merchant, was able to travel to Alkhan-Yurt on December 11 after paying a hefty bribe to a Federal Security Service (FSB, formerly KGB) agent from Moscow who accompanied him to Alkhan-Yurt. When they arrived in Alkhan-Yurt, Lecha L. and the FSB agent came across a group of soldiers, including a colonel, loading looted goods onto a truck on Demilkhanov Street. A fifteen-minute argument ensued between the FSB agent and the colonel.

According to Lecha L., the FSB agent asked the colonel what he was doing, and the colonel replied, "We were given this village; we're allowed to tear this village apart [in Russian, "nam dali na rastezaniye"]; we took it by storm, we had our way with it for two weeks." The FSB agent allegedly responded, "Who gave you such a right, who gave you the village to do as you please?," and tried to arrest the colonel. The colonel allegedly yelled back, "And who are you? We take the village by storm, and afterwards you talk to me like that?" According to Lecha L., the colonel then turned to the villagers who had gathered, and yelled at them: "You sell petrol to Russian territory and you want an independent state and to buy things with the Russian ruble, feed yourselves with Russian bread! That is not happening! We will destroy you, every last one!"⁸³ The argument ended when other military personnel drove up and took the colonel away.

On December 11, a group of residents from Alkhan-Yurt attempted to meet with Major-General Shamanov, commander of the Western Group of Forces in Chechnya, to raise their concerns about the continuing abuses in Alkhan-Yurt. At the time, Major-General Shamanov was somewhere between Alkhan-Yurt and the neighboring village of Kulary, in close proximity to where Russian troops were carrying out abuses in Alkhan-Yurt. Major-General Shamanov refused to listen to the desperate villagers, and according to one of the women in the group, swore at them and threatened them, saying: "You fucking Chechens, get out of here or I will shoot you right now."⁸⁴ The villagers pleaded with Major-General Shamanov, telling him about the killings by Russian soldiers in Alkhan-Yurt, but after about ten minutes the commander forced the villagers to leave. The fact that a leading Russian commander was in such close proximity to Russian forces committing abuses and failed to take appropriate action to stop those abuses, let alone listen to the concerns of residents of Alkhan-Yurt about abuses, raises serious questions about Major-General Shamanov's complicity in the abuses committed in Alkhan-Yurt.

The Lack of Accountability of the Russian Authorities

The Russian authorities, including military commanders, military prosecutors, and the political leadership with oversight responsibilities for the military campaign in Chechnya, have consistently failed to seriously investigate allegations of abuse by Russian forces in Chechnya, to bring to justice soldiers responsible for abuses, and to take the necessary steps to end such abuse. Instead, Russian officials have repeatedly issued blanket denials about abuses by their troops in Chechnya, blaming what they describe as a hostile Western press and an anti-Russian Western diplomatic corps for "information terrorism."⁸⁵ In the face of the overwhelming evidence of abuses committed by Russian troops in Chechnya, the blanket denials offered by Russian officials are untenable.

The response of the Russian authorities to the well-documented abuses in Alkhan-Yurt follows this pattern of blanket denial, although Russia was forced to promise at least some semblance of an investigation in order to stem a rising tide of international criticism after the events in Alkhan-Yurt were publicized. In the end, however, Russian officials acknowledged that not a single Russian soldier was charged in connection with any of the abuses committed in Alkhan-Yurt.

When the reports about killings in Alkhan-Yurt first surfaced, the Russian military denounced them as "false and deceiving," suggesting they were part of a campaign by Chechen terrorists to unleash an information war with Russia.⁸⁶ Nikolai Koshman, Russia's chief representative in Chechnya, announced on December 23 that an investigation would take place that would make public its findings within ten days, but denied that killings had taken place, saying "[t]here is no question of any shooting or execution of the inhabitants of Alkhan-Yurt," despite being confronted with exactly that evidence when he visited Alkhan-Yurt on December 17 (see above).⁸⁷ Immediately after the Koshman video surfaced, Russian television news programs began airing tape allegedly showing heavy fighting by Chechen fighters on the outskirts of Alkhan-Yurt suggesting that the deaths there had been caused by the strong resistance of Chechen fighters. The Russian military at the same time released a statement asserting that the villagers from Alkhan-Yurt had tricked the Russian army into an ambush, that the civilians had died during the course of fighting, and that the use of force had been justified.⁸⁸ The videotape of Chechen fighters outside Alkhan-Yurt was later established to be a fake and to show a Chechen commander who was killed in the first Chechen war in 1995.⁸⁹

Major-General Shamanov, commander of the Western Group of Forces, was the commander in charge of the military units in Alkhan-Yurt. He denied flatly that abuses took place in Alkhan-Yurt, and threatened journalists and those who wanted to establish accountability for the abuses committed in Alkhan-Yurt: "Don't you dare touch the soldiers and officers of the Russian army. They are doing a sacred thing today – they are defending Russia. And don't you dare sully the Russian soldier with your dirty hands!"⁹⁰ Despite his role in presiding over the abuses in Alkhan-Yurt, Major-General Shamanov received Russia's highest honor, the Hero of Russia medal, on December 28, when then president Boris Yeltsin described the army's conduct in Chechnya as "faultless."⁹¹

Although pro-Moscow Chechen leader Malik Saidulayev claimed that some eighteen soldiers were arrested for their role in the abuses in Alkhan-Yurt, this claim was denied by the office of the military procuracy, which stated that none had been arrested.⁹² The military procurator later announced that its initial inquiry had found no evidence of "excessive use of force by servicemen," and anonymous sources in the office of the military procurator began suggesting that the village residents "were most probably shot by [Chechen] rebels, who staged this provocation to discredit the federal armed forces."⁹³ On December 31, Chief Military Procurator Yuri Dyomin announced that "there are no grounds to instigate criminal proceedings in connection with the recent events in the Chechen village of Alkhan-Yurt."⁹⁴ When Dyomin met with Human Rights Watch representatives on March 10, 2000, he stated that the investigation into abuses at Alkhan-Yurt had been closed because of lack of evidence. Yet he made it clear that the events he investigated ended with the seizure of the village by Russian forces, and attempted to conflate the summary executions wholly unrelated to the seizure of the village with deaths that may have occurred during the battle itself. When Human Rights Watch presented some of the details related to the looting and summary executions, Dyomin retorted, speculating that these were "perpetrated by Chechen terrorists." Dyomin further denied any knowledge of the killings in Staropromyslovski district of Grozny perpetrated by Russian troops.⁹⁵

The failure of the military procurator to investigate war crimes and other abuses committed in Alkhan-Yurt and elsewhere in Chechnya seriously calls into question the credibility and

independence of this office. The military procurator is the agency responsible for investigating and punishing abuses by Russian troops, but has clearly failed to carry out its mandate. Unfortunately, the conduct of the Russian authorities, and particularly the military procurator, mirrors the experience of the first war, when similar abuses were committed, yet the perpetrators were never identified or brought to justice. The decision of the military procurator to close the investigation of abuses in Alkhan-Yurt, and not prosecute those responsible for abuses there, is a grave failure of Russia's military justice system, but does not undercut the detailed allegations of abuse raised in this report, as the Russian military has never presented a credible, alternative explanation for the killings and other abuses in Alkhan-Yurt. In a March 9 meeting in Moscow, Human Rights Watch representatives confronted the deputy chief of staff of the Russian military, Colonel-General Valery Manilov, with findings about the massacres in Alkhan-Yurt, Staropromyslovski and Aldi. Colonel-General Manilov did not contest Human Rights Watch's findings, as other officials had, but also did not confirm them. He did, however, concede that the mentality of the Russian army had to be changed to guard against abuses in Chechnya.⁹⁶

The failure of the Russian authorities to establish accountability for abuses committed in Chechnya makes it essential for the international community to carry out credible and independent investigations into the atrocities, and take the necessary steps to assure accountability within Russia or on the international level.

In January 2000, as international criticism for atrocities in Chechnya mounted, Acting President Vladimir Putin appointed Vladimir Kalamonov as Presidential Representative for Human Rights in Chechnya. Essentially an ombudsman, Kalamonov is authorized to forward cases of abuse to the military procurator and can seek political intervention from the presidency. Much has been made of the fact that two Council of Europe staff will work on Kalamonov's team. It is unlikely, however, that this limited involvement will result in transparency or better chances for accountability, as Kalamonov has made it clear that they will be answerable only to him. In a March 9 meeting with Human Rights Watch in Moscow, Kalamonov told Human Rights Watch that he had requested information on Alkhan-Yurt from the military procuracy, but was still awaiting an answer.⁹⁷

The work of Oleg Mironov, Russia's human rights ombudsman, also has failed to address seriously the abuses committed by Russian forces in Chechnya. Mironov has been virtually silent on abuses in Chechnya, repeatedly arguing that the strong-arm methods of the Russian army are necessary to restore order in Chechnya and that Western criticism of atrocities in Chechnya are due to "ignorance," to "double standards," and to "a campaign of blackening Russia."⁹⁸ Mironov's silence on abuses in Chechnya are in sharp contrast to the stand taken by his predecessor in the office, Sergei Kovalyov, who regularly traveled to Chechnya during the first Chechnya war and was a leading voice speaking out about abuses during that conflict and an advocate for accountability.⁹⁹

While the killings at Alkhan-Yurt were the first documented cases of large-scale summary executions of civilians in the second Chechen war, they have not been the last. In the Staropromyslovski district of Grozny, Russian troops killed at least fifty unarmed civilians, mostly elderly men and women, in several incidents during December 1999 and January 2000.¹⁰⁰ On February 5, 2000, Russian troops carried out the biggest massacre of the second Chechnya war known to date, killing at least sixty-two civilians, and possibly many more, in the Aldi district of Grozny.¹⁰¹ The continuing failure of the Russian authorities to take the necessary steps to investigate the abuses in Chechnya, particularly the mass killings in Alkhan-Yurt, Staropromyslovski, and Aldi, and their failure to take steps to prevent their troops from committing further atrocities, makes the Russian military command complicit in these abuses.

ACKNOWLEDGMENTS

This report was researched by Peter Bouckaert, researcher, Human Rights Watch, Rachel Denber, deputy director of the Europe and Central Asia Division of Human Rights Watch, and Alexander Petrov, deputy director of the Human Rights Watch Moscow office. The report was written by Peter Bouckaert. It was edited by Rachel Denber, Michael McClintock, deputy program director, Dinah PoKempner, deputy general counsel, and Jeri Laber, special advisor, Human Rights Watch. Invaluable technical and production assistance was provided by Alex Frangos, coordinator; Fitzroy Hepkins, manager; and Yulia Dulstina, Jose Martinez, Alexandra Perina, and Natasha Zaretsky, associates, Human Rights Watch.

Human Rights Watch wishes to express its gratitude to the many residents of Alkhan-Yurt who traveled to Ingushetia to recount their experiences to Human Rights Watch, and who helped us identify and locate additional witnesses to the abuses in Alkhan-Yurt. We regret that we cannot thank them by name, because of the dangers this would represent to their security. We hope that our report will help heal their wounds, and join them in the demand that those responsible for the abuses in Alkhan-Yurt are brought to account.

We gratefully acknowledge the C.S. Mott Foundation, the Carnegie Corporation, the Moriah Fund, and the John Merck Fund for their generous support.

1 Human Rights Watch interview with Sultan Magomayev, forty-six years old, Pliyevo, Ingushetia, December 28, 1999.

2 Human Rights Watch interview with seventy-five-year-old Haji Vakha Muradov, Nazran, Ingushetia, December 15, 1999.

3 Ibid.

4 Ibid.

5 This is considered an attack on civilians that is banned under Protocol II additional to the Geneva Conventions. Chechen rebel fighters, as parties to an internal armed conflict, are obligated to observe Geneva Convention standards. For an elaboration on Protocol II, see footnote 20.

6 Ibid. The presence of foreign fighters in Chechnya is confirmed by information on a pro-Chechen website, <http://www.qoqaz.net>, which lists foreign jihad fighters "martyred" in Chechnya.

7 Human Rights Watch interview with Shamkhan Hadayev, fifty-six, Kavkaz border, Ingushetia, December 14, 1999.

8 Human Rights Watch interview with Military Procurator Yuri Dyomin, Moscow, March 10, 2000. Dyomin also claimed that underground trenches ran through the entire village, and that "each house" had an "underground firing position."

9 Human Rights Watch interview with Belita Zarakayeva, fifty-five, mother of Musa Amadov, Pliyevo, Ingushetia, December 25, 1999.

10 Human Rights Watch interview with Ihmran Eskayev, thirty-nine, Kavkaz border, Ingushetia, December 10, 1999.

11 Human Rights Watch interview with Lidia Alikhanova, age unknown, Pliyevo, Ingushetia, December 13, 1999.

12 Human Rights Watch interview with Sultan Magomayev, forty-six, Pliyevo, Ingushetia, December 28, 1999.

13 Human Rights Watch interview with Lecha Umarkhajiev, thirty-nine, Adket-20 border crossing, Ingushetia, December 11, 1999. Doka and Zara Umarkhajiev had met in Kazakhstan, where they had been deported by Stalin together with almost the entire Chechen and Ingush nations. They had eight children, four sons and four daughters. Issa Omurkaziev had just graduated from school, and was engaged to be married on November 17, nine days after his death.

14 Human Rights Watch interview with Saparbek Abdulkhajiev, forty, Nazran, Ingushetia, December 11, 1999.

15 Ibid.

16 Ibid.

17 Human Rights Watch interview with Belita Zarakayeva, forty-five, Pliyevo, Ingushetia, December 25, 1999.

18 Human Rights Watch interview with Movladi Tadushayev, twenty-nine, Pliyevo, Ingushetia, December 25, 1999; list of dead in Alkhan-Yurt provided by informant.

19 Ibid.

20 Human Rights Watch interview with Donza Umarov, location withheld, January 2000.

21 Human Rights Watch interview with Adem Taramov, thirty-four, Karabulak, Ingushetia, December 10, 1999.

22 This violated Russian forces' obligations under international humanitarian law to protect the civilian population, to desist from attacks on civilians, and to respect the principle of civilian immunity. Protocol I (applicable to international armed conflicts) and Protocol II (applicable to high-intensity internal armed conflicts) additional to the Geneva Conventions provide authoritative guidance in interpreting the terms "civilian" and "protection."

23 Human Rights Watch interview with Zara Israelova, forty, Adlet-20 border crossing, Ingushetia, December 17, 1999. While many other witnesses confirmed the deaths of the three women, only Zara Israelova had heard the specific circumstances of their deaths from a boy who had witnessed the killings.

24 Human Rights Watch interview with Fatima Ayubova, Pliyevo, Ingushetia, December 12, 1999.

25 Ibid.; Human Rights Watch interview with "Lecha L.," (not his real name), Pliyevo, Ingushetia, December 13, 1999.

26 Ibid.

27 Human Rights Watch interview with Donza Umarov, sixty-five, Alkhan-Yurt, Chechnya, January 2000.

28 Ibid.

29 Human Rights Watch interview with "Rustam R.," thirty-one, Adlet-20 border crossing, Ingushetia, December 16, 1999.

30 Ibid.

31 Ibid.

32 Ibid.

33 Ibid.

34 Human Rights Watch interview with Zara Israelova, forty, Adlet-20 border crossing, Ingushetia, December 17, 1999.

35 Ibid.

36 Human Rights Watch interview with Sultan Magomayev, forty-six, Pliyevo, Alkhan-Yurt, December 28, 1999.

37 Ibid.

38 Human Rights Watch interview with Ruslan Mushaziyev, thirty-six, Pliyevo, Ingushetia, December 28, 1999.

39 Ibid.

40 Human Rights Watch interview with Zura Khazuyeva, Adlet-20 border crossing, Ingushetia, December 17, 1999.

41 Ibid.

42 Human Rights Watch interview with Ibragim I. (not his real name), thirty-six, location withheld, January 2000.

43 Ibid.

44 Ibid.

45 Ibid.

46 Ibid.

47 Human Rights Watch interview with Lyoma Yakubov, sixty, location withheld, January 2000.

48 Ibid.

49 Ibid.

50 Human Rights Watch interview with Movladi Tadushayev, twenty-nine, Pliyevo, Ingushetia, December 25, 1999.

51 Human Rights Watch interview with Haji Vakha Muradov, seventy-five, Nazran, Ingushetia, December 15, 1999.

52 Ibid.

53 Ibid.

54 Human Rights Watch interview with "Islam I." (not his real name), fifty, location withheld, Chechnya, January 2000.

55 Ibid.

56 U.S. \$18.50, \$5.50, and \$5.90, respectively.

57 Human Rights Watch interview with "Islam I." (not his real name), fifty, location withheld, Chechnya, January 2000.

58 Ibid.

59 Human Rights Watch interview with Movladi Tadushayev, twenty-nine, Plyevo, Ingushetia, December 25, 1999.

60 Ibid.

61 Human Rights Watch interview with Suleiman Makhatkhajiyev, age unknown, Nazran, Ingushetia, December 15, 1999.

62 Human Rights Watch interview with Movladi Tadushayev, twenty-nine, Plyevo, Ingushetia, December 25, 1999.

63 Human Rights Watch interview with Buru Altimirov, sixty-six, Plyevo, Ingushetia, December 25, 1999.

64 Ibid.

65 Ibid.

66 Human Rights Watch interview with Lecha L., Pliyev, Ingushetia, December 13, 1999.

67 Ibid.

68 List of dead in Alkhan-Yurt provided by informant.

69 See Human Rights Watch release, "Looting Underway in Russian-controlled areas of Chechnya: Russian Soldiers Stripping Homes Bare," November 24, 1999. Pillage is banned by international humanitarian law. Article 4 of Protocol II additional to the 1949 Geneva Conventions, protects, among other things, civilian immunity in internal armed conflicts. Article 4(2) forbids pillage.

70 Human Rights Watch interview with Lidia Alikhanova, age unknown, Pliyev, Ingushetia, December 13, 1999.

71 Human Rights Watch interview with Buru Altimirov, Plyevo, Ingushetia, December 25, 1999.

72 Human Rights Watch interview with Haji Vakha Muradov, seventy-five, Nazran, Ingushetia, December 15, 1999.

73 Human Rights Watch interview with Shamkhan Hadayev, fifty-six, Adlet-20 border crossing, Ingushetia, December 14, 1999.

74 Human Rights Watch interview with Shaarani Avtayev, Adlet-20 border crossing, Ingushetia, December 15, 1999.

75 Human Rights Watch interview with Lidia Alikhanova, Pliyev, Ingushetia, December 13, 1999.

76 Human Rights Watch interview with "Fira F." (not her real name), thirty-two, Pliyev, Ingushetia, December 12, 1999.

77 Human Rights Watch interview with Belita Zarakayeva, Pliyev, Ingushetia, December 25, 1999.

78 Protocol II additional to the Geneva Conventions of 12 August 1949, and Relating to the

Protection of Victims of Non-International Armed Conflict, of 8 June 1977, article 4.

79 The military procuracy is a branch of the Procuracy General, and has jurisdiction for investigating crimes committed by servicemen and women.

80 See also Michael Gordon, "Russians Outraged at Tapes on Pillage in Chechnya," *New York Times*, December 30, 1999. Malik Saidulayev has refused to release the tape to the public, but has released parts of the tape to news agencies. Human Rights Watch has a partial transcript of the tape.

81 Military units are composed of both conscripts and kontraktniki.

82 Marcus Warren, "Grim Russians Brace for Grozny Struggle: News of Casualties has heightened the tension among Moscow's forces as they prepare for push into the Chechen capital," *Sunday Telegraph* (London), December 19, 1999. The article identifies Yevgeny Vassilievich as the colonel in charge of the 15th Battalion.

83 Human Rights Watch interview with "Lecha L." (not his real name), Pliyev, Ingushetia, December 13, 1999.

84 Human Rights Watch interview with Maret Mudalova, thirty-four, and Lipa Assuyeva, forty-five, Adlet-20 border crossing, Ingushetia, December 13, 1999.

85 This particular epithet was used in a Russian Ministry of Foreign Affairs statement of February 18, 2000, in response to U.S. Department of State Spokesman Jamie Rubin's expression of U.S. government concern about atrocities in Chechnya.

86 "Russian Army Denounces Latest Western Reports on Chechnya," BBC Worldwide Monitoring, December 20, 1999.

87 "Russia Promises Results of Massacre Inquiry within Ten Days," *Agence France Presse*, December 23, 1999.

88 "Russian Defense Ministry Defends Action in Alkhan-Yurt," Itar-Tass, December 23, 1999. Military Procurator Yuri Dyomin repeated this line of argument in a March 10, 2000 meeting with Human Rights Watch in Moscow.

89 "Chechen Cameraman says Alkhan-Yurt Combat Footage is Forgery," BBC Worldwide Monitoring, December 24, 1999.

90 Robyn Dixon and Mayerbek Nunayev, "Chechens Say Real Horror Began After Battle Ended War: Villagers Describe a Rampage of Looting, Murder, and Mutilation by Russian Soldiers Who Took Their Town," *Los Angeles Times*, December 27, 1999.

91 Ian Traynor, "Moscow Makes Heroes of its War Generals," *Guardian* (London), December 29, 1999.

92 "Russian Military Prosecutor Denies Soldiers Arrested for Alleged Massacre," BBC Worldwide Monitoring, December 24, 1999.

93 "Prosecutors Find no Trace of 'Drunken Murder' in Chechnya," *BBC Worldwide Monitoring*, December 24, 1999; "Investigation into Alkhan-Yurt continues," *Interfax*, December 29, 1999.

94 "No Criminal Proceedings over Alleged Atrocity in Chechen Village-Prosecutor," *BBC Worldwide Monitoring Service*, December 31, 1999.

95 Human Rights Watch Executive Director Kenneth Roth and the Deputy Director of the Europe and Central Asia division Rachel Denber met with Military Procurator Yuri Dyomin on March 10 in Moscow. They also met with Colonel-general Valerii Manilov, deputy chief of staff of the Russian Armed Forces, and Vladimir Kalamanov, presidential representative for human rights in Chechnya, on March 10 and March 9, 2000, respectively. For an account of summary executions committed by Russian forces in the Staropromyslovski district of Grozny, see Human Rights Watch, "Civilian Killings in Staropromyslovski District of Grozny," *A Human Rights Watch Short Report*, vol. 12, no. 2(D), February 2000.

96 Human Rights Watch meeting with Colonel-Valerii Manilov, Moscow, March 10, 2000.

97 Human Rights Watch meeting with Vladimir Kalamanov, Moscow, March 9, 2000.

98 "Russian Human Rights Commissioner Dwells on Chechen Events," Itar-Tass, December 14, 1999.

99 See Kathy Lally, "Russians Know of Human Rights Abuses, and Condone Them: Reports from Chechnya Describe Brutal Treatment of Civilians," *The Baltimore Sun*, December 17, 1999.

100 "Civilian Killings in Staropromyslovski District of Grozny," *A Human Rights Watch Short Report*, vol. 12, no. 2 (D), February 2000.

101 Human Rights Watch is continuing to investigate the mass killing in Aldi, and will issue a detailed report on its findings. The Aldi incident is described in the Human Rights Watch release, "More Than Sixty Civilians Murdered in Chechen Capital: 'Pattern' of Summary Executions Emerging," February 23, 2000.

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