

THE STOCKHOLM PROCESS:
STRENGTHENING HUMAN RIGHTS DEFENDERS IN THE NORTH CAUCASUS

**Recommendations to Russia and the European Union (EU)
on the protection of human rights defenders and the improvement of human rights conditions
in the North Caucasus from the participants of the Fourth North Caucasus Conference, held in
Stockholm on November 4-6, 2012.¹**

The recent series of legislative changes in Russia, including the amendments to the Law on Non-Governmental Organisations (NGOs) regarding their status as “foreign agents”, the amendments to the Criminal Code concerning high treason and state secrets, as well as the previously adopted Law on Combating Extremist Activity and the Law on Meetings, Rallies, Demonstrations, Marches and Pickets, are aggravating the general atmosphere of lawlessness and impunity and hampering the work of non-governmental organisations and civil rights defenders in the North Caucasus, as well as considerably increasing their vulnerability.

The human rights situation and the working conditions for human rights defenders in the North Caucasus remain alarming. As before, the perpetrators of human rights violations remain unpunished. Human rights defenders are attacked systematically. The most notorious recent examples include the assassination of Gadzhimurat Kamalov, the founder and publisher of Dagestan’s leading independent weekly Chernovik on 15 December 2011, the demonstrative execution of Dagestani lawyer Umar Saidmagomedov by law enforcement officers on 20 January 2012, the arbitrary detention in March 2012 of Murad Yandiev, staff member of the Ingush human rights group MASHR, the open threats to members of the Joint Mobile Group pronounced on 1 June 2012 by high-ranking Chechen officials, as well as the attacks on representatives of Chechen regional human rights organisations and a series of similar events. Russian authorities are not only unwilling to carry out thorough investigations of these attacks, but are also obstructing the work of human rights defenders.

The situation of organisations and activists working in the field of defense of women’s rights in the North Caucasus is also fraught with extremely high risks. Violations of women’s rights and crimes committed against women give rise to special concern. Frequently, the unfair interpretations of customary rules are used to impede women’s rights and to stigmatize women, in violation of Russian as well as international law.

We, the signatories of this document, recognize the importance of dialogue and exchange of views between Russia and the EU. This withstanding, we believe that the situation in Russia has become so serious that the issue of defending human rights in the North Caucasus has to be integrated in all parts of the dialogue.

¹ The conference is held annually within the Stockholm Process initiated by Civil Rights Defenders aimed at strengthening human rights defenders in the North Caucasus.

To date, the European Court of Human Rights in Strasbourg has handed down over 200 judgments against Russia for grave violations of human rights in the North Caucasus. Apart from paying the financial compensation decided by the Court, Russian authorities have done practically nothing to address the impunity of persons suspected of such grave crimes as extrajudicial executions, enforced disappearances and torture. The fact that the aforementioned crimes, committed by representatives of the government, gradually is beginning to be committed also in other Russian regions towards the participants of opposition movements and civil rights activists raises concern. In this way, the North Caucasus is turning into a training ground for criminal practices, subsequently to be spread over all Russia and beyond its borders.

Based on the above, we urge the Russian authorities to:

1. Fully implement the judgments of the European Court of Human Rights regarding North Caucasus. Impartial and thorough criminal investigations against the alleged perpetrators of human rights violations must be initiated or reopened in cases where the European Court of Human Rights has concluded that prior investigations were inadequate. In addition, the judgements of the European Court reveal fundamental shortcomings of the Russian judiciary. To this effect systematic reform of legislation and practice is required to ensure compliance with the European Convention of Human Rights.
2. Ratify the Rome Statute of the International Criminal Court as well as the International Convention for the Protection of All Persons from Forced Disappearance.
3. Promptly remove the recently adopted repressive amendments of law, e.g. the amendment to the NGO law on “foreign agents”, the amendments to the Criminal Code on high treason and state secrets, as well as the previously adopted Law on Combating Extremist Activity and the Law on Meetings, Rallies, Demonstrations, Marches and Pickets, which are in breach of the Russian constitution, violate the rights of Russian citizens and are in breach of the fundamental obligations of Russia before the Council of Europe. Pending the removal of the above-mentioned legislative amendments we urge the Ministry of Justice, the Ministry of the Interior, the Federal Security Service and other state authorities to abandon the practice of their implementation.
4. Do the utmost to support and guarantee a safe working environment for those who defend human rights in accordance with the UN Declaration on Human Rights Defenders, in particular through the effective investigation of all cases of threats, attacks and killings of human rights defenders as well as the bringing to justice of the perpetrators of such crimes.
5. Undertake a thorough review and revision of current domestic legislation on the use of lethal force by security services, in order to ensure their compliance with international standards in the field of human rights.
6. Conduct efficient investigations of all allegations of the use of torture as well as cruel, inhuman and degrading treatment, and bring to justice the perpetrators of such actions. Refrain from granting amnesty to those convicted or charged with torture or other international crimes.
7. Provide unhindered access to the North Caucasus for international and Russian human rights organizations, media and international bodies, including UN personnel such as the UN Rapporteur on Torture.
8. Make sure that national and international law is observed in regard to women’s rights in the North Caucasus and do the utmost to prevent such serious violations of women’s rights as “honour killings”, child marriage and other forms of violence against women.

9. Consider the possibility of granting Russian citizens with residence in Syria the right of temporary residence in the Russian Federation without regard to quota restrictions as well as in other ways supporting their stay in Russia, including granting them the status of refugees in emergency cases.

We urge the European Union to:

1. Ensure regular reviews and analyses on the human rights and security situation in the North Caucasus, including conducting visits in the region by high-ranking EU officials, including the public assessments of the results of such visits.
2. Strengthen the measures for guaranteeing the security of civil rights defenders through a more active promotion of the EU Guidelines on Human Rights Defenders. Support the work of the UN Special Rapporteur on Human Rights Defenders, as well as the work of the Commissioner on Human Rights.
3. Regularly request from the Russian authorities the efficient investigation of cases of crimes committed against journalists and human rights defenders in the North Caucasus and updated reports on the progress of such investigations.
4. Encourage EU member states to facilitate the issue of multi-entry long-term visas to human rights defenders from the North Caucasus as well as to their family members. Cease the practice of discrimination towards natives of the North Caucasus during the visa-granting process.
5. Guarantee the protection and support for the small group of persons who have been the witnesses and victims of grave violations of human rights and who are substantially contributing to combating impunity through their testimony. If they remain in Russia they will be subjected to serious danger. It is necessary to urge EU member states to implement programmes for emergency resettlement with the granting of refugee status to such persons. We urge you to offer support to such persons in cases where these persons wish to remain in Russia for the efficient defence of their rights.
6. Establish mechanisms to ensure that long-term funding is accessible for human rights work in the North Caucasus, in particular by increasing the support amount and by making programmes more accessible for North Caucasus organisations.
7. Stand united behind the programmes for the promotion of human rights and democracy in Russia, including those administered by individual member states, reminding the Russian authorities of the importance of these programmes and rejecting any attempt to undermine their legitimacy.
8. Abandon the practice of forced deportation from the EU of asylum seekers who are threatened by danger in the case of their return to Russia.

Malika Abubakarova	Women's Rights
Maryam Akhmetova	Mothers of Kabardino-Balkaria
Tamirlan Akiev	Memorial Human Rights Centre
Vissarion Aseev	Russian Justice Initiative/ Astreya
Ella Asoyan	Freedom House
Inna Ayrapetyan	Sintem
Milana Bakhaeva	Memorial Human Rights Centre
Libkan Bazaeva	Women's Dignity
Oksana Chelysheva	Russian-Chechen Friendship Society
Valentina Cherevatenko	

Maria Chichtchenkova	Front Line Defenders
Pavel Chikov	Agora
Elena Denisenko	Memorial Human Rights Centre
Stanislav Dmitrievskiy	Natalia Estemirova Documentation Center
Maret Eldieva	Centre of Caucasian Initiative
Minkail Ezhiev	Human Rights Center of Chechen Republic
Ahmed Gisaev	Norwegian Helsinki Committee
Irina Gordienko	Novaya Gazeta
Robert Hårdh	Civil Rights Defenders
Svetlana Isaeva	Mothers of Dagestan For Human Rights
Igor Kalyapin	Committee against Torture
Valeriy Khatazhukov	Human Rights Center "For Human Rights"
Anastasia Kushleyko	Russian Justice Initiative/ Astreya
Sapiyat Magomedova	Bar Association Omarov A.S i partneri
Rustam Matcev	Bar Association of The Karachay-Cherkess Republic
Magomed Mutsolgov	MASHR
Svetlana Reiter	Bolshoy Gorod
Almut Rochowanski	Chechnya Advocacy Network
Arsen Sakalov	Russian Justice Initiative/ Astreya
Oyub Titiev	Memorial Human Rights Centre
Rostislav Valvoda	People In Need