

Chechnya Tribunal Proposed

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Council of Europe is pressing for a special international tribunal to deal with war crimes in Chechnya.

The Parliamentary Assembly of the Council of Europe, PACE, which has long been sharply critical of Russia's policy in Chechnya, last week passed a resolution proposing an international war crimes tribunal for the republic if the human rights situation there does not improve.

While the decision is pending, human rights activists have urged Chechens to report all crimes against them to the Russian judicial authorities. "When all legal bodies in Russia have rejected their pleas, victims are then free to seek redress in the European Human Rights Court," said Oleg Orlov, chairman of the Memorial human rights group which has been monitoring the rebel republic for several years.

So far, the Strasbourg-based European court has already accepted several cases. A total of 150 lawsuits have been filed by Chechens. Of those, six are currently being tried.

The Russian authorities insist that law enforcement in Chechnya is intended to safeguard the rights and freedoms of Chechens and that all crimes are investigated, regardless of the perpetrator's ethnicity.

President Putin recently claimed that the military prosecutor's office has investigated 127 crimes committed against Chechen civilians by Russian troops.

However, Orlov said many cases are dropped before coming to court, "There have been thousands of complaints from victims, but at the end of January only 162 cases had come to court. Out of 97 cases investigated in 2002, 40 were dropped for lack of evidence. Overall, only 46 Russian servicemen have been convicted."

The story of Aiub Salatkhonov, aged 15, a high school student from the village of Dyshni-Vedeno, shows how difficult it can be to bring a case to court. As Aiub and his friends were walking towards the market place in April 2000, a soldier in a federal military convoy fired a shot, killing him. Fellow villagers managed to stop the convoy and summon local officials and police to the scene. The suspected murderer, an ensign named Chernomaz, was arrested.

Since then, there was no progress. "I've contacted every single authority, demanding fair punishment for the person who killed my son, but at best my plea was met with indifference and at worst I was insulted," the boy's father Movlid Salatkhonov wrote to the Russian prosecutor general, 18 months later. "When I demanded justice from General Babichev, the military commander of Chechnya, he said 'Go stop Khattab (a reference to one of the rebel field commanders) then we'll stop killing you and your children'. " Salatkhonov's lawsuit is now in Strasbourg, it will go to trial soon.

The Memorial centre recorded 59 Chechen deaths, mostly civilians, in January and February. That was five higher than last year. On January 13, nine bodies were found off Petropavlovskoe Highway near Grozny and taken to the nearest mosque for identification. One of the victims turned out to be the director of the Sovetskaya Rossiya state farm, who had been arrested by federal servicemen three weeks earlier. Memorial activists suspect that this find indicates the existence of organised crime rings operating within official law enforcement agencies.

Memorial also keeps track of missing Chechens. Currently, it has about 1,000 names on file and has been

writing to the appropriate authorities, usually to no avail. Another search body for missing persons, operating under the Chechen government, has 2,800 missing people on file.

Ruslan Alikhajiev, parliamentary speaker under the rebel Chechen president Aslan Maskhadov, has been missing for three years after being taken away from his home in Shali by Russian soldiers. At a press conference in Moscow on April 9, Orlov described human rights violations in Chechnya following the March 25 referendum.

"I wish Russian TV covered violence in Chechnya the way it covers violence in Iraq. If it did then thousands would rally outside the Kremlin instead of the US embassy," said well-known Russian TV journalist Viktor Shenderovich at the press conference. .

Chechens have applauded the PACE initiative. "I have always been convinced that those who brought suffering on our people would be punished one day," said one Grozny resident. "I have been preparing for that and I will be happy to assist the international judges. I have chronicled all sorts of violence with my camera since the war began. I have volumes to prove the Chechen people have been victims of genocide."

However, many believe that realpolitik will work against the PACE initiative. "The Russian government must bear the main responsibility for massive war crimes in Chechnya," said Musa Jabrailov, a legal advisor to the UN High Commissioner for Refugees. "However, the current situation in Russia and the world makes it unlikely that an international tribunal for Chechnya will become a reality."

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