

## **Situation of the Human Rights in the North Caucasus (Russia)**

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### **Abstract**

Russia is a signatory of several international Human Rights treaties and is a member of the Council of Europe, therefore a signatory of the European Convention on Human Rights. Moreover, its constitution guarantees the Human Rights of Russian citizens and the Rights of the National minorities living in the territory of Russian Federation. However, the Human Rights situation in Russia is increasingly difficult. Russia, with Turkey and Italy are the most countries which have been condemned by International jurisdictions, according to statistics and different NGO's reports. Since the degradation on the situation in Nord Caucasus, Russian legislation became more repressive towards some people. It is not necessary to speak here about the violation of Human Rights in Russian society in general, nor about the supposed violation of the Rights of Tartars of Crimes, but this article explore a specific region: North Caucasus and violations of the Rights of Caucasian minorities.

**Keywords:** Russia, Human Rights, North Caucasus

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## Situation of the Human Rights in the North Caucasus (Russia)

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### INTRODUCTION

Violation of human rights is one of the most preoccupying problems in the World today. Per some reports, Russia would be one of the countries which most violate the Human Rights<sup>1</sup>. Indeed, recently, the European Court of Human Rights condemned Russia (March, 14, 2017) for abduction and ill-treatment (Article 3)<sup>2</sup> of Oleg Orlov, president of the Human Rights association “Memorial”, and three journalists(. Orlov and others v Russia, 5632/10)<sup>3</sup> They had been kidnapped in 2007, at their hotel rooms by a commando of dozen men, while they covered a demonstration against violation of Human Rights in Nazran, capital of the Republic of Ingushetia (Russia). This umpteenth condemnation of Russia by the European Court of Human Rights reflects the current difficult situation of Human Rights in this country. Therefore, it would be difficult, to be indifferent of this situation, which remains still relevant, especially since the anti-terrorist operations launched by Russian authorities create abuses against the civilian population living in these zones.

This article will, firstly, examine Russia's international human rights obligations after the collapse of the Soviet Union; here it will explore the constitutional and international obligations of Russia Federation and its relations with the Council of Europe. Secondly, it will examine the violation of human rights, in specifically region of

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<sup>1</sup> See the statistics here: European Court of Human Rights: Press Country Profile: Russia: [www.echr.coe.int/Documents/CP\\_Russia\\_ENG.pdf](http://www.echr.coe.int/Documents/CP_Russia_ENG.pdf), accessed on March,28,2017

<sup>2</sup> See article3, (torture) of the European Convention of Human Rights

<sup>3</sup> Stitching Justice Initiative: ECHR Cases from the North Caucasus: Orlov and Others v. Russia, (5632/10): Judgment date: 14/03/2017, you can see it here too: Right in Russia: Legal Case of the Week: Orlov and others v Russia accessed here on March,28,2017: <http://www.rightsinrussia.info/legal-case-of-the-week/orlovandothersvrussia>

Russia: The North Caucasus<sup>4</sup>. In this part, it will discuss the violation of human rights in North Caucasus and the violation of the rights of Caucasian minorities in Russia.

## **1. HUMAN RIGHTS AND RUSSIAN INTERNATIONAL OBLIGATIONS**

Creation of the Russia Federation as a democratic and a rule-of-law State and the development of civil society presuppose the consistent and unswerving observance of universally recognized principles and norms of international law and the provisions of interstate agreements.

The Constitution of the Russian Federation, recognizing the priority of international law over domestic legislation, extends this supremacy not only to the Basic Law of the country, but also to the whole system of legislation. Of fundamental importance is the provision of the Constitution that universally recognized principles, norms of international law and international treaties of Russia are an integral part of its legal system. In Chapter 1, Article 15, paragraph 4, it mentioned: “The universally-recognized norms of international law and international treaties and agreements of the Russian Federation shall be a component part of its legal system. If an international treaty or agreement of the Russian Federation fixes other rules than those envisaged by law, the rules of the international agreement shall be applied”<sup>5</sup>. Moreover, the rights and freedoms of person and citizen are recognized and guaranteed in the Russian Federation both in accordance with the Constitution and in accordance with generally

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<sup>4</sup> See Wikipedia: The North Caucasus (Russian: Северо́вый Кавка́з) or Ciscaucasus is the northern part of the Caucasus region between the Sea of Azov and Black Sea on the west and the Caspian Sea on the east, within European Russia.

<sup>5</sup> See the Constitution of the Russian Federation, accessed on March,29,2017 here: <http://www.constitution.ru/en/10003000-02.htm>

### **Situation of the Human Rights in the North Caucasus (Russia)**

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recognized principles and norms of international law (Chapter 2, article 17, paragraph 1)<sup>6</sup>.

Today international law not only fixes the list of basic human rights and freedoms that everyone possesses, but also grants him the right to direct access to interstate judicial and non-judicial bodies to protect his rights. However, the individual has the right to defend his rights in international proceedings after all domestic remedies have been exhausted. The creation and development of such means and mechanisms are considered by modern international law as one of the duties of States participating in international relations system.

Russia's foreign and domestic policy is based on the principle confirmed on 1993 in the World Conference on Human Rights that the universality of rights and freedoms is indisputable and their protection is the responsibility of all States<sup>7</sup>. Russia rejects the approach whereby human rights provisions are exclusively an internal matter of the State. The Russian Federation adheres to most international human rights agreements that oblige it to fulfill its obligations. Recognizing that human rights do not relate exclusively to the internal jurisdiction of States, Russia must endeavor to abandon the policy of "double standards" on the international scene.

In recent years, the establishment of international monitoring bodies to control the implementation of the human rights obligations in each States has been expanded. Each year, these bodies make appropriate recommendations. Unfortunately, the Russian Federation doesn't have a monitoring mechanism which could make to It recommendations.

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<sup>6</sup> See the Constitution of the Russian Federation. here:

<http://www.constitution.ru/en/10003000-02.htm>

<sup>7</sup> See Human Rights Office of the High Commissioner: World Conference on Human Rights, 14-25 June 1993, Vienna, Austria, accessed on March 29,2017, here: <http://www.ohchr.org/EN/AboutUs/Pages/ViennaWC.aspx>

After the collapse of the Berlin Wall and the Soviet Union, the geopolitical situation of Europe has radically changed. The profound differences between the countries of Western Europe and Eastern Europe were gradually eroding. The political conditions necessary for the integration of Europe and the creation of a single European legal area are maturing. It was therefore particularly important for the Russian Federation to comply with its international obligations related to accession to the Council of Europe (Opinion 193, 1996)<sup>8</sup>

### **1.1. RUSSIA AND THE COUNCIL OF EUROPE**

The accession to the Council of Europe on 1996<sup>9</sup>, in spite of an unfavorable report by the eminent jurists who conclude that “the legal system of the Russian Federation does not comply with the Council of Europe standards, as enshrined in the statute of the Council and developed by the organs of the European Convention on Human Rights”<sup>10</sup>. After its accession to the Council of Europe, Russian Federation has made a commitment to fulfill the Charter of this regional organization, whose primary objective is the protection of human rights, as well as to accede to agreements providing for cooperation of European states in the field of security.

The most important of these agreements is the Convention for the Protection of Human Rights and Fundamental Freedoms, better known as the European Convention on Human Rights, to which

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<sup>8</sup> Parliamentary Assembly of Council of Europe: see the Opinion 193 on 1996: Application by Russia for membership of the Council of Europe

<sup>9</sup> Russia's application for membership of the Council of Europe: Doc. 7463 on 18 January 1996, Rapporteur: Mr BINDIG, Germany, Socialist Group: <https://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewHTML.asp?FileID=7397&lang=EN>

<sup>10</sup> R Bernhardt; F Ermacora; S Trechsel; A Weitzel : “Report of the conformity of the legal order of the Russian Federation with Council of Europe standards”, Strasbourg : Council of Europe, 1994

### **Situation of the Human Rights in the North Caucasus (Russia)**

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Russia acceded on March 30, 1998<sup>11</sup>. Russia's accession to the European Convention and the Protocols required it to align its national legislation and the practice of the application of the Law on European Standards for the Protection of Human Rights, Since the entry into force of the Convention (5 May 1998), violations in the field of human rights fall within the competence of the European Court of Human Rights, which reinforces the guarantee of conformity in Russia to the standards contained in the European Convention.

The Russian Federation ratified the European Convention on Human Rights in May 1998. The first judgment against Russia took place in 2002. The violations found by the Court included violations of the articles 2, 3,5,8,10,13 and 38<sup>12</sup>. In January 2003, the European Court admitted for the first time, applications concerning violations of human rights in Chechnya. The applicants allege that the Russian military violated their rights during military operations, the so-called counter terrorism operation in Chechnya in 1999. The Court found that the Russian Federation had violated articles 2 (right to life), 3 (prohibition of torture and inhuman or degrading treatment) and article 13 (Right to an effective remedy) of the European Convention on Human Rights and Article 1 of Protocol No. 1 to the Convention (protection of property). The first case concerning the enforced disappearance in Chechnya (*Bazorkina v. Russia*)<sup>13</sup> was issued by the Court on 27 July 2006. In 2016 The European Court of Human right

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<sup>11</sup>Федеральный закон от 30 марта 1998 г. N 54-ФЗ

"О ратификации Конвенции о защите прав человека и основных свобод и Протокола к ней"- The Russian Federation Federal Law No. 54-FZ "On Ratification of the Convention for the Protection of Human Rights and Fundamental Freedoms and Protocols Thereto" accessed on March 29,2017 here:

<http://www.echr.ru/documents/doc/12011157/12011157.htm>

<sup>12</sup> See European Conventions of Human Rights.

<sup>13</sup> Case of *Bazorkina v. Russia* (Application no. 69481/01) Judgment on July,27, 2006 final on December,11,2006 accessed here on March,29,2017:

[http://hudoc.echr.coe.int/eng# {"dmdocnumber":\["807138"\],"itemid":\["001-76493"\]}](http://hudoc.echr.coe.int/eng#{)

dealt with 7,010 applications concerning Russia<sup>14</sup>. In 2014 it was 15,792 applications, in 2015, 6,712 applications and for this year (on March, 2017) 7,742 applications pending before a judicial formation.

However, the relations between the European Court of Human Rights and Russia has gradually deteriorated since the accession of Vladimir Putin to power and particularly, after the deterioration of the relations between Russia and the European countries because of Ukrainian Crisis. Moreover, the drop of water that overflows the vase was when European Court of Human Right accepted complaint filed by Yukos (Yukos shareholders vs. Russia) and condemns Russia on July, 2014. Indeed, in 2004, Yukos filed a lawsuit against Russian tax authorities before the ECHR and interpreted these acts as an illegal confiscation of property. Yukos has claimed \$ 98 billion from Russia<sup>15</sup>

Finally, the project, which has been caressed for longtime by the Kremlin, has taken shape on December, 1, 2015. Indeed, Russia decided to free itself from the decisions of the European Court of Human Rights, the judicial organ of the Council of Europe. The Duma, the lower house of the Russian Parliament, voted a law which places the Russian Constitutional Court above international jurisdiction<sup>16</sup>.

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<sup>14</sup> European Court of Human Rights, Press Country Profile: Russia. Accessed here on March,29,2017: [www.echr.coe.int/Documents/CP\\_Russia\\_ENG.pdf](http://www.echr.coe.int/Documents/CP_Russia_ENG.pdf)

<sup>15</sup> A case of Winning the Battle and Losing the War: Yukos V Russian Federation, DLA PIPER, June,9,2016 accessed here: [https://www.dlapiper.com/~media/Files/Insights/Publications/2016/06/Yukos\\_vs\\_Russian\\_Federation.pdf](https://www.dlapiper.com/~media/Files/Insights/Publications/2016/06/Yukos_vs_Russian_Federation.pdf)

<sup>16</sup> Isabelle Mandraud, Journal le Monde : La Russie s'affranchit de la Cour européenne des droits de l'homme, Moscou, Décembre, 2,2015(Russia breaks free of the European Court of Human Rights, Moscow, December 2,2015) [http://www.lemonde.fr/europe/article/2015/12/02/la-russie-s-affranchit-de-la-cour-europeenne-des-droits-de-l-homme\\_4822066\\_3214.html#HXPwTbLJaqe1Wlo.99](http://www.lemonde.fr/europe/article/2015/12/02/la-russie-s-affranchit-de-la-cour-europeenne-des-droits-de-l-homme_4822066_3214.html#HXPwTbLJaqe1Wlo.99)

## **Situation of the Human Rights in the North Caucasus (Russia)**

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Thus, the law was adopted by 434 deputies out of 438; the text made clear that the decisions of the European Court of the Human Rights will not apply when they will be considered contrary to Russian constitutional law. This Law follows the decision taken by the ECHR at July 2014 to condemn Russia to pay 1.9 billion Euros to the former shareholders of the oil group Yukos, dismantled under the charge of tax fraud by Russian authorities at the beginning of the 2000s<sup>17</sup>.

### **2. VIOLATION OF THE HUMAN RIGHTS IN RUSSIAN**

Before accepting Russia in the European Council, we should first consider the historical and socio-political realities of Russia, a country emerging from the dislocation of the Soviet Union and facing the problems in its southern part, the north of the Caucasus, with the Republics such as Chechnya, Ingushetia, Dagestan which were tempted by separatism. When Russia becomes member of European Council, it was a young new democratic State, with a weak economy. The report of R. Bernhardt on 1994<sup>18</sup> should be considered. Russian Federation had well initiated reforms after the collapse of the Soviet Union, to comply with European standards. It made a lot of efforts in respect for human rights field. However, the second war in Chechnya and the emergence of new threats on its southern border prompted the Kremlin to radically change its policy in this part of the country.

Indeed, per the report of Committee on Legal Affairs and Human Rights of Council of Europe on 2010, in the Draft Resolution, Paragraph 3, and part 3.5, it was emphasized that “in the Chechen

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<sup>17</sup> Megan Davies, Vladimir Soldatkin and Gilbert Reilhac, Reuters: “European court rules Russia must pay Yukos shareholders 1.9 billion Euros», Moscow/Strasbourg, July,31,2014 accessed here on March,30,2017: <http://uk.reuters.com/article/uk-russia-yukos-echr-idUKKBN0G00QO20140731>

<sup>18</sup> “Report of the conformity of the legal order of the Russian Federation with Council of Europe standards”,1994

Republic, the authorities continue to nurture a climate of pervading fear in an atmosphere of personalization of power. The Head of the Republic has made public threats against political opponents, human rights activists and their families, even in other parts of the Russian Federation and beyond<sup>19</sup>”. It is not at all surprising that the violation of human rights in Russia is much more visible in the North Caucasus, especially since Russia is leading the so-called counter-terrorism operation. The most of complaints addressed to the European course of human right come from people living in the North Caucasus.

## **2.1. HUMAN RIGHTS IN RUSSIAN NORTH CAUCASUS**

In the North Caucasus, human rights are very often violated and sometimes with incredible rigidity. Civilians are most affected by acts of terror, but also the army and the police and sometimes the terrorists themselves. Per the European Court of Human Rights, on 2015, Russia ranks first in prosecuting cases, one in seven ECtHR cases are from Russia<sup>20</sup>, 90% of which are filed by residents of the regions of the North Caucasus.

The Northern Caucasus, as we know, is the most densely populated region of Russia, the most ethnically illuminated region, and there are many ethnic groups that really struggle to get along. Of course, the problems were there and probably will continue for several more years. Reforms are therefore necessary, but they must be carried out with extreme precision, without affecting the personal interests of the residents, otherwise this will lead to new armed conflicts which

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<sup>19</sup> Parliamentary Assembly, Committee on Legal Affairs and Human Rights: Human rights in the North Caucasus: what follow-up to Resolution 1738 (2010) Rapporteur: Mr Michael McNAMARA, Ireland, Socialist Group, accessed here on March, 29, 2017 : [www.assembly.coe.int](http://www.assembly.coe.int)

<sup>20</sup> See Stats violation 2015 here:

[http://www.echr.coe.int/Documents/Stats\\_violation\\_2015\\_ENG.pdf](http://www.echr.coe.int/Documents/Stats_violation_2015_ENG.pdf)

## **Situation of the Human Rights in the North Caucasus (Russia)**

---

cannot be tolerated. People still remember the war in Chechnya in 1994-2000.

The next problem is the degree of violence by the police and other organs of the law on the civilian population. Per statistics from the various reports of Russian civil society, the North Caucasus occupies prominent positions in the number of open cases. Innocent citizens are imprisoned for weeks, months, in prison, some are tortured and others are obliged to pay for crimes they have not committed. Sometimes young people are kidnapped and their parents do not even know by whom their children are kidnaped and why. In the name of counter-terrorist operations, some innocent people are held arbitrarily. The case of Zelimkhan Chitigov<sup>21</sup>, a Chechen citizen, tortured by the policemen and army forces in Ingushetia, while innocent. Indeed, on April 27, 2010, some 30 members of Russian Forces arrested Zelimkhan Tchitigov's, 20 years old, at his home at Karabulak, in Ingushetia. He was interrogated, beaten and subjected to various acts of torture. This case illustrated the degree of violence in Northern Caucasus and the violation of the Article 2, and 3 of the European Convention of Human Rights by Russian Authorities.

Arbitrary arrests and detention, usually accompanied by torture, are practices in the North Caucasus. The purpose is generally to obtain information about alleged terrorists or separatists, confessions or accusations that can be used later in a trial<sup>22</sup>. But arbitrary arrests are also used to put pressure on human rights defenders, critical voices and other civilians and to force them to keep silent. The right to a fair trial guaranteed by Article 6 of the European

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<sup>21</sup> Court finds Ilyas Nalgiev guilty of torturing Zelimkhan Chitigov in Ingush MIA  
Source: <http://www.eng.kavkaz-uzel.eu/articles/22742/> © Caucasian Knot:  
October,31, 2012

<sup>22</sup>Memorial, « Новый курс» Магомедова? Ситуация с правами человека и попытки консолидации общества в Республике Дагестан Март 2010–март 2011 г. («Nouvelleligne» deMagomedow? Human rights situation and attempts to consolidate society in Dagestan March 2010-March 2011) Page.41

Convention on Human Rights (ECHR) is systematically flouted in the North Caucasus by falsifying evidence, extorting statements under torture, Lack of adequate investigations into crimes (impunity).

In Chechnya, there are at least ten places for illegal detentions, especially Tsentoroy and Gudermes<sup>23</sup>. Since 2005, the Chechen authorities no longer give access to the Red Cross to visit prisoners allegedly involved in the armed conflict<sup>24</sup>.

As torture and assassination, the disappearances, are common in the North Caucasus. Kidnappings are perpetrated by the federal and local security forces, often using the “Chechen model”: armed forces, often masked, enter a house and kidnap one or more persons. Sometimes the kidnappings become more “professional”: for example, the victim leaves his home at the morning and disappears without leaving any traces, or it can be found dead<sup>25</sup>. Young people go to work or leave their homes and do not come back at the night. Memorial indicates that most were previously monitored, some even previously summoned to the police station or arrested<sup>26</sup>. The difficulty of establishing who is responsible for these acts complicates the search.

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<sup>23</sup> US Department of State, 2010 Country Reports on Human Rights Practices, 8 avril 2011, Page. 30. The existence of secret prisons is also confirmed by ECRE, see European Council on Refugees and Exile (ECRE), Chechen Internally Displaced Persons (IDPs) Asylum Seekers and Refugees in Europe, 8 mars 2011, Page.4 et 48: [www.ecre.org/component/content/article/57-policypapers/174-guidelines-on-the-treatment-of-chechen-internally-displaced-persons-idps-asylumseekers-and-refugees-in-europe.html](http://www.ecre.org/component/content/article/57-policypapers/174-guidelines-on-the-treatment-of-chechen-internally-displaced-persons-idps-asylumseekers-and-refugees-in-europe.html).

<sup>24</sup> US Department of State, 2010 Country Reports on Human Rights Practices, April, 8, 2011, Page.30.

<sup>25</sup> Memorial, The System of Impunity in the North Caucasus (2009–2010) – How Does it Function? Abductions and disappearances of people in the North Caucasus in 2009 Sabotage of investigating of criminal cases in 2009–2010, 2010, Page. 5.

<sup>26</sup> Кавказский узел :Ситуация в зоне конфликта на Северном Кавказе: оценка правозащитников. Лето 2010 г. (The Situation in the Northern Caucasus Crisis Center: An Assessment by Human Rights Defenders, Summer 2010), October, 15, 2010.

## **Situation of the Human Rights in the North Caucasus (Russia)**

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In addition, criminal gangs, sometimes even members of the security forces, take people away for ransom<sup>27</sup>.

Regularly, armed combatants, and their relatives, often civilians, are assassinated in all the republics of the North Caucasus. People killed by security forces are often presented as rebels, terrorists. In Chechnya, summary executions became a professional strategy war against terrorism, as proved by the declaration of President of Chechnya Ramzan Kadyrov on State television<sup>28</sup>. “Those who have been infected with this disease [those who have joined an illegal armed group] can no longer be cured. Killing them is the only quick way to neutralize the infection ... If we are men, we must annihilate them soon” he said. Kadyrov even promised \$ 100,000 for each “rebel” killed and \$ 50,000 for each rebel captured alive. This strategy is officially supported by Kremlin.

Moreover, people in Chechnya are obliged to report the members of their families who have gone into rebellion in front of the camera. Kadyrov and others Chechen officials have, usually claimed that parents are responsible for the criminal activities of their children<sup>29</sup>. The families concerned are, every time, under pressure from the security agents and the administration to encourage their families to abandon the rebellion. Furthermore, voluntary domestic fire is a means used to exert pressure on people who file complaints. Memorial reports the case of Raisa Turlueva, who was advised by a magistrate not to lodge a complaint concerning the kidnapping of his

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<sup>27</sup> Parliamentary Human Rights Group (PHRG) Report, Chechnya Fact-Finding Mission, From 15 to 19 February 2011, Page. 26. Interview de NN, June, 28, 2011.

<sup>28</sup> TV channel “Wajnach”, August, 30, 2010, cited in: Memorial, The situation in the zone of conflict in the North Caucasus: an evaluation by human rights activists, autumn 2010.

<sup>29</sup> Radio Free Liberty/Radio Europe: Free Press in North Caucasus Continues to Deteriorate, June, 17, 2011:

[www.rferl.org/content/Free\\_Press\\_in\\_North\\_Caucasus\\_Continues\\_to\\_Deteriorate/2074414.html](http://www.rferl.org/content/Free_Press_in_North_Caucasus_Continues_to_Deteriorate/2074414.html).

son: “If you file a complaint, you will be killed and the homes of your relatives will be burned”,<sup>30</sup> he said.

Another violation we must emphasize is the violation of social and economic rights. During the wars in Chechnya, many civilians left their homes. Human rights organizations criticize the fact that compensation paid for destroyed homes is clearly insufficient and reserved too few people. In 2009, only 87 families were compensated; the amount of 120,000 rubles (about 7,777.70 Turkish Lira) does not even cover six months of rent. It is difficult therefore, to think of buying a home with this sum<sup>31</sup>. Amnesty International reports that many of those who have been compensated sometimes pay up to 50% of the money received in the form of bribes<sup>32</sup>. In addition, those who returned after the war often have difficulty with housing, medical care, employment and other social benefits. Forced evacuations of houses used as surrogate homes increase daily in the Russian Caucasus.

## **2.2.VIOLATIONS OF THE RIGHTS OF NATIONAL MINORITIES**

Despite the significant number of laws, decrees and decrees guaranteeing the protection of the rights of national minorities, there are no major improvements in the position of small ethnic groups in Russia. We know that the right to diversity is one of the foundations

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<sup>30</sup> Human Rights Watch (HRW): Address to President Medvedev at his Meeting with the Presidential Civic Society Council and Independent Experts on Human Rights in the North Caucasus, May,19,2010:  
[www.hrw.org/en/news/2010/05/19/address-president-medvedev-regarding-human-rightssituation-north-caucasus](http://www.hrw.org/en/news/2010/05/19/address-president-medvedev-regarding-human-rightssituation-north-caucasus).

<sup>31</sup> Memorial, Правозащитного центра “Мемориал” (Memorial) и Комитета “Гражданское содействие” (Civic Assistance) о положении выходцев из Чеченской Республики в России (Affirmation of the Memorial Human Rights Center and the Civic Assistance Committee on the situation of Chechen migrants in Russia); ECRE, Chechen Internally Displaced Persons (IDPs) Asylum Seekers and Refugees in Europe, March ,8, 2011, Page. 51.

<sup>32</sup> Amnesty International, Urgent Action 068/2011, 29 mars 2011.

### **Situation of the Human Rights in the North Caucasus (Russia)**

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of a democratic society and therefore recognition of the rights of national minorities and the importance of their non-discrimination is very important for the Russian Federation. However, discrimination of national minorities is one of the major problems of Russian society.

Russian nationalism is growing every day, especially among young people, who are most susceptible to radical nationalist and xenophobic ideas and sentiments. The permanent conflict in the Caucasus led to the fact that Caucasians people are perceived by young Russian, extremely negative. Because the situation is hushed up, there is a lack of information, a lack of knowledge about Caucasian history, culture, achievements, problems... Negative stereotypes are formed and reinforced among young people, which subsequently lead to violence against Caucasians.

Some representatives of laws, constantly checks the passport when you look as Caucasian, and the most detained people come from Caucasus. All these actions don't contribute to the reduction of the Caucasus phobia and the number of crimes against Caucasians is growing every day. An example of xenophobia and neo-Nazism happened at the Manezhnaya Square, on December 11, 2010<sup>33</sup>. The brawl involved several thousand football fans and ultra-nationalists who chanted ultra-nationalist slogans, tried to resist the police and beat several natives from the Caucasus, including schoolchildren. Another part of the fans made attacked in the subway the people with non-Slavic appearance. In total, not less than 41 people suffered from racist attacks only on December 11.

All the brutality of the nationalists was covered unfortunately by the desire to investigate the murder of a young fan of "Spartak"

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<sup>33</sup> The Phantom of Manezhnaya Square: Radical Nationalism and Efforts to Counteract It in 2010,05.05.2011 / Alexander Verkhovsky, Galina Kozhevnikova, accessed here on March,31,2017: <http://www.sova-center.ru/en/xenophobia/reports-analyses/2011/05/d21561/>

Egor Sviridov<sup>34</sup> from the North Caucasus. Although it is so clear that this is just an excuse, but the causes were xenophobia and the hearted of the minority.

The main task of Russian Federation is to strength the universal approach concerning protection of the rights and freedoms of individual, taking into account the national customs and traditions of all peoples living in the country. Russian authorities, in their internal policy must take into account some problems which must be ensured by constitutional and legal means: Taking into account the interests of indigenous people; Taking into account the interests of national minorities, and it is necessary to extend the concept of national minorities even to those representatives of the state-forming nations that live in the territory of Autonomous republics; Creation and support of different forms of national-cultural autonomies.

## CONCLUSION

The military operations launched by Russia after the insurgent armies in the north of Caucasus reduced the efforts of the Russian authorities which, after the collapse of the Soviet Union and the adoption of the new constitution in 1993, were tried to conform Russian legislations on Human rights, to the norms of Europeans countries. Despite several international obligations, and treaties signed by Russian Federation and which guaranteed Human Rights in Russia, the security situation, the geopolitical development and socio-political conflicts have forced Russia to harden more and more its legislation and even to review certain treaties which it signed a few years ago.

It is unnecessary to cite all the human rights violations committed in Russia. North Caucasus is the most striking example.

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<sup>34</sup> Russian football and racism: The case of Egor Sviridov 23 DECEMBER 2010 By James Appell, accessed here on March,31,2017:<http://www.thefootballramble.com/indepth/entry/russian-football-and-racism-the-case-of-egor-sviridov>

### **Situation of the Human Rights in the North Caucasus (Russia)**

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Indeed, 90% of complaints against Russia to the European Court of Human Rights come from people of the North Caucasus. It is important to note that since Vladimir Putin launched an operation against the insurgents in Chechnya, Ingushetia, Dagestan and others Republics, the civil populations of northern Caucasus suffer from the abuses committed by the authorities and the forces which accuse them of being contiguous with the rebels and the terrorists. Arbitrary arrests, torture, disappearances and assassinations have become the daily battle of the people living in the areas of operations.

The recent adoption of the federal law (December, 2015) which proclaims Russia's courts above the international jurisdictions is the result of the degradation of the relations between European countries and Russia. Indeed, after the annexation of the Crimea and the divergences on the Syrian conflicts, Westerns countries became increasingly critics toward Russian Federation. Thus, Russia hardened its legislations and more and more away from the European jurisdictions, which now considered by many Russians, to be uncompromising and biased to judge their internal affairs.

## REFERENCES

A case of Winning The Battle And Losing The War: Yukos V Russian Federation, DLA PIPER, June, 9, 2016 accessed here: [https://www.dlapiper.com/~media/Files/Insights/Publications/2016/06/Yukos\\_vs\\_Russian\\_Federation.pdf](https://www.dlapiper.com/~media/Files/Insights/Publications/2016/06/Yukos_vs_Russian_Federation.pdf)

Amnesty International, Urgent Action 068/2011, 29 mars 2011.

Case of Bazorkina v. Russia (Application no. 69481/01) Judgment on July, 27, 2006 final on December, 11, 2006 accessed here on March, 29, 2017:

[http://hudoc.echr.coe.int/eng#{"dmdocnumber":\["807138"\],"itemid":\["001-76493"\]}](http://hudoc.echr.coe.int/eng#{)

Court finds Ilyas Nalgiev guilty of torturing Zelimkhan Chitigov in Ingush MIA. Source: <http://www.eng.kavkaz-uzel.eu/articles/22742/> © Caucasian Knot: October, 31, 2012

European Court of Human Rights, Press Country Profile: Russia. Accessed here on March, 29, 2017: [www.echr.coe.int/Documents/CP\\_Russia\\_ENG.pdf](http://www.echr.coe.int/Documents/CP_Russia_ENG.pdf)

European Court of Human Rights: Press Country Profile: Russia: [www.echr.coe.int/Documents/CP\\_Russia\\_ENG.pdf](http://www.echr.coe.int/Documents/CP_Russia_ENG.pdf)

Human Rights Watch (HRW): Address to President Medvedev at his Meeting with the Presidential Civic Society Council and Independent Experts on Human Rights in the North Caucasus, May, 19, 2010: [www.hrw.org/en/news/2010/05/19/address-president-medvedev-regarding-human-rightssituation-north-caucasus](http://www.hrw.org/en/news/2010/05/19/address-president-medvedev-regarding-human-rightssituation-north-caucasus).

Human Rights Office of the High Commissioner: World Conference on Human Rights, 14-25 June 1993, Vienna, Austria, accessed on March 29, 2017, here: <http://www.ohchr.org/EN/AboutUs/Pages/ViennaWC.aspx>

### **Situation of the Human Rights in the North Caucasus (Russia)**

---

Isabelle Mandraud, Journal le Monde : La Russie s'affranchit de la Cour européenne des droits de l'homme, Moscou, Décembre, 2,2015(Russia breaks free of the European Court of Human Rights, Moscow, December 2,2015)  
[http://www.lemonde.fr/europe/article/2015/12/02/la-russie-s-affranchit-de-la-cour-europeenne-des-droits-de-l-homme\\_4822066\\_3214.html#HXPwTbLJaqe1Wlo.99](http://www.lemonde.fr/europe/article/2015/12/02/la-russie-s-affranchit-de-la-cour-europeenne-des-droits-de-l-homme_4822066_3214.html#HXPwTbLJaqe1Wlo.99)

Megan Davies, Vladimir Soldatkin and Gilbert Reilhac, Reuters: "European court rules Russia must pay Yukos shareholders 1.9 billion Euros», Moscow/Strasbourg,July,31,2014 accessed here on March,30,2017: <http://uk.reuters.com/article/uk-russia-yukos-echr-idUKKBN0G00QO20140731>

Memorial, The System of Impunity in the North Caucasus (2009–2010) – How Does it Function? Abductions and disappearances of people in the North Caucasus in 2009 Sabotage of investing action of criminal cases in 2009–2010, 2010, Page. 5.

Memorial, Правозащитногоцентра “Мемориал” (Memorial) иКомитета “Гражданскоедействие” (Civic Assistance) оположениивыходцевизЧеченскойРеспубликиВРоссии (Affirmation of the Memorial Human Rights Center and the Civic Assistance Committee on the situation of Chechen migrants in Russia); ECRE, Chechen Internally Displaced Persons (IDPs) Asylum Seekers and Refugees in Europe, March ,8, 2011, Page. 51.

Mémorial, « Новый курс» Магомедова? Ситуация с правами человека и попытки консолидации общества в Республике Дагестан Март 2010–март 2011 г. («Nouvelleligne» deMagomedow? Human rights situation and attempts to consolidate society in Dagestan March 2010-March 2011) Page.41

Parliamentary Assembly, Committee on Legal Affairs and Human Rights: Human rights in the North Caucasus: what follow-up to Resolution 1738 (2010) Rapporteur: Mr. Michael McNamara, Ireland,

Socialist Group, accessed here on March,29,2017:[www.assembly.coe.int](http://www.assembly.coe.int)

Parliamentary Human Rights Group (PHRG) Report, Chechnya Fact-Finding Mission, From 15 to 19 February 2011, Page. 26. Interview de NN, June, 28, 2011.

Radio Free Liberty/Radio Europe: Free Press in North Caucasus Continues to Deteriorate, June, 17, 2011:  
[www.rferl.org/content/Free\\_Press\\_in\\_North\\_Caucasus\\_Continues\\_to\\_Deteriorate/2074414.html](http://www.rferl.org/content/Free_Press_in_North_Caucasus_Continues_to_Deteriorate/2074414.html).

R Bernhardt; F Ermacora; S Trechsel; A Weitzel : “Report of the conformity of the legal order of the Russian Federation with Council of Europe standards”, Strasbourg : Council of Europe, 1994

Right in Russia:Legal Case of the Week: Orlov and others v Russia:<http://www.rightsinrussia.info/legal-case-of-the-week/orlovandothersvussia>

Russia's application for membership of the Council of Europe :Doc. 7463 on 18 January 1996, Rapporteur: Mr BINDIG, Germany, Socialist Group: <https://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewHTML.asp?FileID=7397&lang=EN>

Russian football and racism: The case of Egor Sviridov 23 DECEMBER 2010 By James Appell, accessed here on March,31,2017:  
<http://www.thefootballramble.com/indepth/entry/russian-football-and-racism-the-case-of-egor-sviridov>

Stats violation 2015 here:  
[http://www.echr.coe.int/Documents/Stats\\_violation\\_2015\\_ENG.pdf](http://www.echr.coe.int/Documents/Stats_violation_2015_ENG.pdf)

The Constitution of the Russian Federation:<http://www.constitution.ru/en/10003000-02.htm>

## **Situation of the Human Rights in the North Caucasus (Russia)**

---

The Phantom of Manezhnaya Square: Radical Nationalism and Efforts to Counteract It in 2010,05.05.2011 / Alexander Verkhovsky, Galina Kozhevnikova, accessed here on March,31,2017:<http://www.sova-center.ru/en/xenophobia/reports-analyses/2011/05/d21561/>

TV channel “Wajnach”, August, 30, 2010, cited in: Memorial, The situation in the zone of conflict in the North Caucasus: an evaluation by human rights activists, autumn 2010.

US Department of State, 2010 Country Reports on Human Rights Practices, 8 avril 2011, Page. 30. The existence of secret prisons is also confirmed by ECRE, see European Council on Refugees and Exile (ECRE), Chechen Internally Displaced Persons (IDPs) Asylum Seekers and Refugees in Europe, 8 mars 2011, Page.4 et 48: [www.ecre.org/component/content/article/57-policypapers/174-guidelines-on-the-treatment-of-chechen-internally-displaced-persons-idps-asylumseekers-and-refugees-in-europe.html](http://www.ecre.org/component/content/article/57-policypapers/174-guidelines-on-the-treatment-of-chechen-internally-displaced-persons-idps-asylumseekers-and-refugees-in-europe.html).

US Department of State, 2010 Country Reports on Human Rights Practices, April, 8, 2011, Page.30.

Кавказский узел :Ситуация в зоне конфликта на Северном Кавказе: оценка правозащитников. Лето 2010 г. (The Situation in the Northern Caucasus Crisis Center : An Assessment by Human Rights Defenders, Summer 2010), October, 15, 2010.

Федеральный закон от 30 марта 1998 г. N 54-ФЗ “О ратификации Конвенции о защите прав человека и основных свобод и Протоколов к ней”(The Russian Federation Federal Law No. 54-FZ “On Ratification of the Convention for the Protection of Human Rights and Fundamental Freedoms and Protocols Thereto) accessed on March 29,2017 here : <http://www.echr.ru/documents/doc/12011157/12011157.htm>