

# Torture in the OSCE Region



June 21, 2000

Briefing of the  
Commission on Security and Cooperation in Europe

---

WASHINGTON : 2001

J892-7

**COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

**234 Ford House Office Building**

**Washington, Dc 20515-6460**

**(202) 225-1901**

**csce@mail.house.gov**

**http://www.csce.gov**

**LEGISLATIVE BRANCH COMMISSIONERS**

**HOUSE**

**CHRISTOPHER H. SMITH, New Jersey**  
*Chairman*  
**FRANK R. WOLF, Virginia**  
**MATT SALMON, Arizona**  
**JAMES C. GREENWOOD, Pennsylvania**  
**JOSEPH R. PITTS, Pennsylvania**  
**STENY H. HOYER, Maryland**  
**BENJAMIN L. CARDIN, Maryland**  
**LOUISE McINTOSH SLAUGHTER, New York**  
**MICHAEL P. FORBES, New York**

**SENATE**

**BEN NIGHTHORSE CAMPBELL, Colorado Co-**  
*Chairman*  
**KAY BAILEY HUTCHISON, Texas**  
**SPENCER ABRAHAM, Michigan**  
**SAM BROWNBAC, Kansas**  
**TIM HUTCHINSON, Arkansas**  
**FRANK R. LAUTENBERG, New Jersey**  
**BOB GRAHAM, Florida**  
**RUSSELL D. FEINGOLD, Wisconsin**  
**CHRISTOPHER J. DODD, Connecticut**

**EXECUTIVE BRANCH COMMISSIONERS**

**HAROLD HONGJU KOH, Department of State**  
**EDWARD L. WARNER III, Department of Defense**  
**PATRICK A. MULLOY, Department of Commerce**

---

**COMMISSION STAFF**

**DOROTHY DOUGLAS TAFT, *Chief of Staff***  
**RONALD J. McNAMARA, *Deputy Chief of Staff***

**BEN ANDERSON, *Communications Director*,**  
**ELIZABETH M. CAMPBELL, *Office Administrator***

**OREST DEYCHAKIWSKY, *Staff Advisor***

**JOHN F. FINERTY, *Staff Advisor***

**CHADWICK R. GORE, *Staff Advisor***

**ROBERT HAND, *Staff Advisor***

**JANICE HELWIG, *Staff Advisor***

**MARLENE KAUFMANN, *Counsel***

**KAREN S. LORD, *Counsel for Freedom of Religion***

**MICHELE MADASZ, *Staff Assistant / Systems Administrator***

**MICHAEL J. OCHS, *Staff Advisor***

**ERIKA B. SCHLAGER, *Counsel for International Law***

**MAUREEN T. WALSH, *General Counsel***

## **ABOUT THE ORGANIZATION (OSCE)**

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

## **ABOUT THE COMMISSION (CSCE)**

The Commission on Security and Cooperation in Europe (CSCE), also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance with the agreements of the OSCE.

The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

# TORTURE IN THE OSCE REGION

JUNE 21, 2000

## PARTICIPANTS

	Page
Rep. Christopher H. Smith, Chairman, Commission on Security and Cooperation in Europe .....	1
Rep. Joseph R. Pitts, Member .....	6
Dr. Inge Genefke, International Rehabilitation Council for Torture Victims .....	3
Maureen Greenwood, Advocacy Director, Europe and the Middle East, Amnesty International .....	6
Douglas Johnson, Executive Director, Center for the Victims of Torture .....	11

## APPENDICES

Prepared Submission of Maureen Greenwood .....	21
--	----

# TORTURE IN THE OSCE REGION

WEDNESDAY, JUNE 21, 2000

COMMISSION ON SECURITY AND COOPERATION IN EUROPE  
WASHINGTON, DC

The briefing was held at 10:00 a.m., in room 2255, Rayburn House Office Building, Hon. Christopher H. Smith, Chairman, presiding.

*Commissioners present:* Hon. Christopher H. Smith, Chairman; Hon. Joseph R. Pitts, Commission Member.

*Witnesses present:* Dr. Inge Genefke, Secretary-General, International Rehabilitation Council for Torture Victims; Maureen Greenwood, Advocacy Director, Europe and the Middle East, Amnesty International; Douglas Johnson, Executive Director, Center for the Victims of Torture.

Mr. SMITH. I'd like to begin this briefing and then get right to our very distinguished presenters. My name is Chris Smith, and I chair the Commission on Security and Cooperation in Europe.

In 1998, the U.N. General Assembly adopted a resolution declaring June 26 to be the United Nations Day in Support of the Victims of Torture. In advance of this year's commemoration, the Helsinki Commission is holding this briefing to focus on the continuing problem of torture in the OSCE region.

The issue of torture is one of longstanding concern to the Commission. We have addressed it at many Commission hearings and briefings. We have raised it at OSCE implementation review meetings. We urged inclusion of language on torture adopted by the OSCE Summit of Heads of State and Government held in Istanbul last November. In addition, I introduced and worked for passage of two bills that have become law, the Torture Victims Relief Act and the Reauthorization of the Torture Victims Relief Act. The first law authorized \$31 million over 2 years, \$7.5 million for domestic centers, \$7.5 for the international centers, and then \$3 million in each of those 2 years for the Victims of Torture Voluntary Fund at the United Nations. Last year, we were able to get a 3-year authorization. Cynthia McKinney, who is our ranking member on the International Operations and Human Rights Subcommittee, was very helpful in not only co-sponsoring but moving that legislation. That provides \$75 million for more than 3 years, until the year 2003; \$10 million for the domestic centers, \$10 million for the international centers, and then \$5 million for each of those 3 years to the UN Voluntary Fund for Victims of Torture.

It is a start. Now we are fighting for the appropriated dollars, but we at least have the marker there with the authorization and hopefully our appropriators and the administration will meet that authorization.

In spite of these efforts and the efforts of our Commission which I just mentioned, torture continues to be a persistent problem in every OSCE country including the United States. No OSCE country has no instances of torture or cruel, inhuman and degrading

treatment. Nevertheless, while every country must work to address this compelling human rights problem, there are some places where the scale and the magnitude of the use of torture is so egregious that it cries out for concerted action. The participants at the OSCE meeting on torture gave several examples of countries or contexts that they argued deserved particular attention.

First, conflict settings. Where violent conflicts have erupted or where there are perceived threats to national security, there is an increased likelihood that torture or other forms of inhumane treatment will occur. This has certainly been the case in Serbia and other conflicts in the OSCE region such as Chechnya.

Second, there are countries where torture does not merely appear as a tool of misguided police officials looking for quick and easy ways to obtain a confession, but where it is used systematically as a means of political oppression. This is certainly the case under the repressive dictatorship of President Karimov in Uzbekistan.

Third, religious and ethnic minorities such as Jehovah's Witnesses in Turkmenistan or Roma in Hungary are often singled out for torture or police brutality.

Finally, torture may threaten the very foundations of democracy as it has in Turkey, where the government's counterproductive reaction to allegations of torture has led to violations of other rights, including the denial of fair trials and restrictions on the freedom of speech.

At today's briefing, we will consider two of these specific problem areas, Chechnya and Turkey, as well as efforts to prevent torture and to treat torture survivors. We are fortunate to have with us three individuals who have dedicated their lives to addressing these problems. First, we will hear from Dr. Inge Genefke. Dr. Genefke is a founding member of the Danish medical group of Amnesty International. She was also a founding member of the Denmark-based International Rehabilitation Council for Torture Victims established in 1985 to provide specialized treatment and rehabilitation services for the victims of torture, and she now serves as Secretary General.

She was honored on June 10 by an award from the American Medical Association for unique achievements of the highest standard in the medical field. Dr. Genefke has monitored several high-profile trials of medical professionals in Turkey and was present during the sentencing of Dr. Veli Lök.

We are also joined by Maureen Greenwood, the Advocacy Director for Europe and the Middle East in the Washington Office of Amnesty International USA. Ms. Greenwood has been traveling to the Soviet Union since 1986. From 1993 to 1995, during the outbreak of what has become known as the First Chechen War, she worked in Moscow as the U.S. representative in the Union of Councils Russian/American Bureau on Human Rights. Although we have asked her to discuss Amnesty International's most recent report on torture and rape in the ongoing Chechen conflict, I would like to note that she has also worked on the problem of torture in Turkey.

Finally, we will hear from Douglas Johnson. Doug is the Executive Director of the Minnesota-based Center for the Victims of Torture, the first organization of its kind in the United States. Mr. Johnson served as a public member on the U.S. delegation to the OSCE's Human Dimension Implementation Meeting and is a member of the OSCE's Advisory Panel for the Prevention of Torture. He works with other treatment centers in the U.S. and around the globe, and he was very helpful in drafting and in getting passed the Torture Victims Relief Act. I personally want to thank him especially for that great work he did in advising our subcommittee as we moved that legislation.

I would like to ask Dr. Genefke if you could begin.

Dr. GENEFKE. Thank you very much, Congressman Smith. Ladies and gentlemen, the Human Rights Foundation of Turkey is probably well known to everyone. For more than ten years, this foundation worked within two important areas, documentation of torture in Turkey and rehabilitation of torture victims.

They have established five centers for victims of torture in Adana, Ankara, Diyarbakir, Istanbul and Izmir. During recent years, more than 5,000 torture victims have been treated at these centers. Approximately half these torture victims are new, having suffered recent torture within the last 7 days before attending to their selected center. The work of the rehabilitation centers is deeply respected internationally.

Leading staff members of the foundation have been persecuted by the Turkish authorities since 1995. There have been trials in which authorities have insisted that doctors provide names of victims they have treated, a signal breach of one cornerstone in medical work involving doctor/patient confidentiality. One argument behind this absurd demand was that victims should be able to identify torturers. In this context, Turkish authorities could trace who the perpetrators are by asking at the nearest police station as torture takes place at all Turkish police stations.

During the last 6 months, however, the authorities have escalated their persecution of the doctors who assist torture victims. One doctor, Dr. Uzun, who does voluntary work at the Izmir center, has been subjected to psychological and physical torture from December 1999 at a police station. His testes were wrenched, and he was exposed to an attempt of strangulation. Being kept in isolation and suffering sleep deprivation were among some forms of torture. After this specific torture, he was brought to a governmental hospital, in which a doctor issued a statement that Dr. Uzun was not subjected to torture; the doctor did not examine him before issuing the statement. As a result, the Turkish Medical Association intervened and requested that Dr. Uzun be re-examined. There was conclusive evidence that he had been tortured.

Here we are at the heart of the problem. The actual reason doctors are being persecuted is that now after working with torture victims and carrying out research for more than a quarter of a century, they can establish whether torture has taken place. The fact that doctors such as Dr. Uzun are capable of diagnosing and proving torture presents a threat to those elements within the police force in Turkey who still use torture. Ironically torture is prohibited according to Turkish law. Doctors who have dedicated their lives to the treatment of torture victims are now being tortured themselves. This is a distinct threat to all work against torture in Turkey.

As an observer at the trial for Dr. Uzun in Izmir in May 2000, I was encouraged to believe that the situation might change for the better. The acquittal of Dr. Uzun, an internationally recognized doctor, was regarded as a positive development. Dr. Uzun delivered a statement to the court referring to harassment and torture inflicted by the authorities while he was awaiting trial. As Dr. Uzun has been tortured, we call upon Turkey to fulfill its obligations under the international law, specifically under Articles 12, 13 and 14 of the United Nations Convention Against Torture to initiate a prompt and independent investigation of the alleged torture, to ensure impartial examination of the case and to ensure redress, compensation and access to rehabilitation following Article 14.

Unfortunately however, Dr. Uzun is not the only doctor currently being persecuted. Alp Ayan, a psychiatrist affiliated with the center in Izmir, has been beaten. The crutch he is forced to use due to a polio disease has been taken away from him. In fact, they said he attacked the police. He is a small man who walks with an impediment, spending 3 months

and 3 weeks in a Turkish prison. The head of Izmir center, the internationally recognized research, Professor Veli Lök also faced charges and was sentenced in June of this year. Professor Lök is a human right defender and founding member of the Human Right Foundation. He is internationally renowned for his work on the diagnosis, documentation and treatment victims of torture. The fact that such a recognized and respected professor as Professor Veli Lök is being attacked confirms that no doctor assisting torture victims in Turkey can feel secure. In fact, they are all afraid now. The charges against him consisted of publishing his opinion regarding the decisions taken by the court before the trial has been concluded with the final decision under Article 32 of the Press Law. Granted, a very convenient law, nearly everybody can be jailed or tried.

The sentence of Professor Lök is a violation of the right to freedom of expression. The judgment against him is effectively an act of censorship. Professor Lök is not to publicly address Turkish authorities and the issue of torture for the period of 5 years. If he does so, he will be forced to pay a token fine. The message is perfectly clear—doctors in Turkey are not only being harassed and in some cases tortured, they are also being censored simply because they are providing treatment and support for victims of torture, doing their ethical duty, treating foe and friend.

There is widespread fear in the medical community and strong international condemnation is needed to reverse this development. There are other tragic consequences of these events. The torture victims are afraid of going to the doctor for any necessary help. At police stations, the victims are told that they are not permitted to see the doctor after the torture. This also jeopardizes the continued documentation of torture in Turkey.

The actions of the Turkish police in relation to the doctors are not only criminal but also constitute a breach of international law. The actions of the Turkish authorities remain completely incomprehensible at a time when Turkey has made an application to work toward European human rights and ethical standards.

The International Rehabilitation Council for Torture Victims, the IRCT, started an international campaign, which in collaboration with other organizations, politicians, embassies and medical institutions puts international pressure on the Turkish authorities to stop these torturous crimes. At the trial in February 2000, the President of the Danish Medical Association was present and representatives from five embassies, delegates from rehabilitation centers in the U.S. and Germany. I was also fortunate to be present. At other trials, the Secretary General of the World Medical Association, the Director of the Danish Medical Association representing the standing committee of doctors in the European Union, more than a million, were present. Doug Johnson, Executive Director from the Minnesota Center, people from the Berlin Medical Chamber, the Swedish Red Cross, Amnesty International and many other organizations have also been present at these trials.

The presence of such a group of persons involving representatives from the World Medical Association, embassies, and rehabilitation centers, etc. must make it apparent to the Turkish Government that admission to the European Union will not be possible before the Turkish Government, instead of escalating human rights violations, including acts of torture, at least diminish these with the purpose of putting a complete stop to the violation of specifically torture.

The national and international health profession have been closely monitoring the progress of the trials against doctors in Turkey. The developments warrant the concern of the entire international community. It is essential that doctors, especially those treating victims of torture, are able to provide the necessary assistance regardless of the religion, political or ethnic affiliation of the victims. The doctors must feel secure in providing



treatment without fear of harassment or persecution simply because they are doing their duty.

The recent publication of the report by the Human Rights Commission of the Turkish Parliament documents widespread use of torture in Turkey. Many victims interviewed alleged the use of torture and the Commission visited prisons and photographed torture equipment, including electric cables. The victims stated that they did not complain to the government or to the court since very few complaints are acted upon. This is the first time an official governmental body has admitted to the widespread practice of torture. The Turkish public is likely to give credence to such an official pronouncement, and we hope it will mobilize civil society by urging governments to take meaningful actions to eliminate the use of torture. All shall depend on how the political parties respond to this report. When a party is out of office, it opposes the use of torture. But when it is in office, it ends to deny or condone the practice.

IRCT urges the U.S. Congress to support their Turkish colleagues and the Parliamentary Commission report. At the Parliamentary Assembly (OSCE) in Romania, the U.S. Congressional delegation should lend its support for the report and urge the Turkish Government to take action to prevent the use of torture and punish the perpetrators.

Since 1990, the United Nations Committee Against Torture, CAT, the Committee for the Prevention Against Torture of the Council of Europe, have been pointing to the torture condoned by the Turkish Government for numerous years. These findings have now been confirmed by the report of the Parliamentary Committee in Turkey. Over the years, numerous NGO and INGO's, including IRCT, have pointed out the same horrible conditions. We can only hope that a new Turkish report will have more impact than those very esteemed bodies, CAT and CPT, have had until now, namely zero influence.

The Parliament had to listen to these brilliant and courageous persons who have said the truth during all these years, year after year after year, report after report after report, again and again and again it was told to the Turkish authorities. Paradoxically, in this very moment, the Turkish Government is preparing another shift in the prison system, a shift to smaller cells, 11 new prisons built with this cell model. The Turkish Government may be intending to impose an isolation regime on prisoners held under the anti-terror law, cutting them off from human contacts and productive activities in a way that can be physically and mentally harmful, essentially torture. An isolation regime is already being employed at the Kartal Special Type Prison in Istanbul. The organization Human Rights Watch has reported that prisoners detained at Kartal Prison are suffering the physical and psychological symptoms recorded elsewhere as an effect of small group isolation including depression, anxiety, deterioration of eyesight, et cetera. These ways of torturing are now commencing in the prisons all over Turkey.

Again, it is indeed a tragedy when those treating victims of torture themselves become victims of torture. I therefore urge all of you to contribute in ensuring that Turkey fulfill international obligations in relation to the treatment of torture victims, the prevention of torture and the prosecuting of perpetrators. Thank you.

Mr. SMITH. Thank you, Doctor. Just let me make note that we have been joined by Commissioner Joe Pitts, Republican Member of Congress from Pennsylvania, who has been one of the most faithful members of the Commission at every hearing and every briefing, and when we meet with delegations. He might want to say a word or two. I also want to introduce Erika Schlager. I don't think she needs an introduction to people in this room, but she is the Commission's Counsel for International Law. She has been on the Commission staff since 1987. She got her B.A. from UNC Greensboro, and a master's de-

gree from Harvard, and then a law degree from George Washington University. She has been absolutely effective over these many years. I have known Erika for many years. She is very thoughtful in her work and does a great job. When she gave me the list of people to introduce, she always leaves herself off, but I want to note that Erika has organized today's briefing. Commissioner Pitts, do you have something to say?

Mr. PITTS. Thank you, Mr. Chairman. Thank you for holding this briefing. Thank you to today's witnesses for your willingness to speak out and publicly condemn these human rights abuses occurring in OSCE countries. I think it is vital that we as a nation, we as a government, and as members of the Commission do all we can to stop torture in the world. I am a new member this year, but I pledge that I will do all I can to work with you. When we go to the OSCE Parliamentary Assembly in Romania, we will certainly raise this issue. Thank you very much.

Ms. GREENWOOD. Thank you so much, Chairman Smith, Commissioner Pitts and staff of the CSCE for putting together this very important briefing. I also wanted to thank you in particular for your supportive words after the Amnesty International report on human rights violations in Chechnya was confiscated at the Russian Sheremetyevo Airport. As of today the documents have not been released.

Amnesty International is an independent, worldwide human rights organization. We have more than a million members with 300,000 members in the United States. Amnesty works around the world to free prisoners of conscience, to ensure fair and just trials for political prisoners, to end torture, the death penalty, and extrajudicial executions. Amnesty also works against violations by armed opposition groups, and we take no position per se for or against the use of military force.

My remarks are going to cover the recent increased level of torture in Chechnya in the context of the armed conflict. I am going to highlight a few horrifying particular cases of torture. I will talk briefly about the systemic problems in the Russian Federation with torture, and about a few violations by Chechen armed opposition groups. Finally, I will make recommendations to the U.S. Government and to the Russian Government about how to end torture.

Amnesty International recently sent a field team into North Ossetia and also Ingushetia, neighboring republics of Chechnya, that collected horrifying new testimony about torture in so-called secret filtration camps. Despite recent Russian Government assurances that crimes will be punished, as of today Amnesty knows of not one single case where a torturer has been prosecuted, either for the first Chechen war or for the current war.

Russian forces are constantly detaining people in these so-called filtration camps at checkpoints under their control, usually in the context of going into a village and doing a so-called cleansing operation, where they check people for documents or registration permits or as they go across the border into neighboring republics. People are usually detained on suspicion for being a Chechen fighter, for being related to a Chechen fighter or for having information about Chechen fighters, knowing where gun caches are, et cetera. But they are also arbitrarily detaining males between age 10 and 60 and women suspected of being related to Chechen fighters. They are then transferred to secret filtration camps where they are not formally charged. They have no access to family, lawyers or medical care.

The detainees in secret filtration camps, men, women and children are routinely and systematically tortured. They are raped, they are beaten with hammers and clubs, they

are tortured with electric shocks and tear gas, their teeth are sawed off, and some are simultaneously beaten around both ears to burst the eardrums. I spent the weekend reading through dozens of accounts of recent Amnesty cases from these filtration camps, but I just wanted to highlight three cases to give you an idea of what is happening there. By the way, more information on Amnesty documentation is available on our website, <[www.amnesty.org](http://www.amnesty.org)>.

The first case, the case of Zelimkham. 20-year-old Zelimkham was detained on May 6 at his parents' house by a group of 15 Russian special police forces or OMON. He was taken to the outskirts of the village, ordered to take his clothes off, handcuffed and forced to his knees. There, he was beaten with clubs for about 2 hours by various OMON police officers. Then he was transferred to Internat filtration camp. In Internat, he was brutally gang-raped by four or five OMON officers. He was blindfolded, handcuffed, and ordered to lay face down on a table before being sodomized with wooden clubs and the butt of machine guns. He also said that officers squeezed his genitals and threatened him that he would be incapable of producing children. They asked him to sign a confession stating that he was a Chechen fighter. He was released 6 days later on May 13 for the sum of \$300 after being forced to say he had not been ill-treated. He told Amnesty that other detainees in the Internat camp had had their ears pierced with nails. One 17-year-old boy had his teeth and half his lip sawed off. He couldn't eat, drink or talk. That boy was eventually released for \$700, paid to the guards by his family. Another cell mate of his was released for \$3,500. The release of the detainees in the filtration camps is also turning into an unofficial business.

A second case is the case of a testimony of a survivor of Chernokozovo filtration camp. We are calling him Musa. His name has been changed to protect him. He was detained with 10 other men on January 16, when he was traveling on a bus with his mother and brother. He was taken to the filtration camp in Chernokozovo, and he told Amnesty "the guards started beating us from the minute we entered the camp. There were about 20 or 25 men in masks in the camp yard standing in two lines forming a live chain, something like a human corridor. We were pushed through this corridor and each guard began hitting us with clubs. They ordered us to completely undress and then we were forced to go into a freezer room that was previously used to store freezing meat. The next day we were again forced to run through the live chain of armed guards in masks in the corridor in front of our cells. When I ran through the corridor, somebody hit me on the back with a hammer. The pain was so strong that I could not even feel any pain during the rest of the beatings." His testimony was confirmed later by an independent doctor who produced medical evidence to the fact about a hematoma and damage to his spine.

One more case—I want to make the point that the persecution of ethnic Chechens and minorities from the Caucasus is not only happening in the Russian Caucasus, but is happening against Chechens and other minorities across the entire Russian Federation. Take the case of Razmik Nagdalian. He is an ethnic Armenian from Baku in Moscow who was detained in September. He is also an epileptic. The police picked him up at Savelievsky Train Station in Moscow on September 23. Three OMON police officers asked him for his passport and registration documents. He produced them. Nevertheless, they thought that his registration stamp looked suspicious, and therefore they took him into a corner and started beating him. Three different officers beat him for a while, and the last thing that he remembers is having his head hit a wall and passing out. He woke up later. His clothes were covered in blood, and he at that point went straight to the hospital. The next day he went to the police station to make a formal complaint, and there was no further investiga-

tion into the incident.

The purpose of torture in Chechnya in the context of an armed conflict is similar to the purpose of torture in general, to extract confessions or to force the individual to name the names of other alleged suspects. But the underlying reason for the torture in the context of an armed conflict is also to break the spirit of the individual and to crush his will. A terrible aspect of these filtration camps is that people are held incommunicado. These are not actual official institutions. When you think of a filtration camp, don't think of a police station or a prison. These are makeshift facilities. One was made out of a former chicken processing plant. Another one was in four wagon carriages. It is not humane treatment to actually hold people in these. Another aspect is that they are turning into an informal business. Amnesty only knows of one case where a person was actually released without their family being forced to pay anywhere between hundreds and thousands of dollars to get them out. Meanwhile, the Russian Government has failed to allow access to any independent observers to filtration camps and is trying to hide the problems.

I also wanted to place the context of the torture in the armed conflict of Russian in the context of the wider problem of torture in Russia, which I think has been well documented for years by Amnesty International and other human rights groups. But I wanted to make the point that the problem of torture in Russia and Chechnya has reached a new level where it is out of control. In fact, Amnesty has been finding out about new forms of torture, such as the filing of the teeth, that we never have even documented before.

In the context of an armed conflict, torture is something that should be controlled by the Russian security and military forces in their command and control structure and represents a real breakdown of civilian control of the military. For example, there have long been complaints of hazing in the Russian military, but the Russian military has claimed that this is an unofficial policy that older soldiers do to younger soldiers. Nevertheless, in the context of the armed conflict, this is systematic. This is routine and it is a breakdown of the Russian military system that they are not having more control over these kinds of excesses and they are not prosecuting those people that are committing these kinds of crimes.

The overall political and economic crisis fuels the nationwide problem of torture and ill-treatment in Russia. As Russia continues to reinvent itself after the old totalitarian Soviet system, Russia has not yet successfully put in place systemic criminal justice reforms, leaving thousands of people gravely mistreated.

As Amnesty documented in its landmark 1997 report, "This Man-Made Hell," on torture in Russia, structural problems in the Russian criminal justice system facilitate torture.

Torture and ill-treatment are fostered by: an over-reliance on confessions for evidence; pressure on police to solve crimes without resources to conduct forensic investigations; outrageous overcrowding in pre-trial detention centers, and ill-equipped and underfunded prisons. Other factors that enhance torture include an underdeveloped culture of rule of law resulting arbitrary decision-making; a breakdown in discipline leading *dedovshina* or brutal hazing in the armed forces; and impunity for abuses in the system.

According to the 1999 Department of State Country Reports on Human Rights Practices on Russia, "There are credible reports that law enforcement personnel regularly use torture to extract confessions from suspects, and that the Government does not hold most of them accountable for their actions."

Torture is carried out in at least three phases in the criminal justice system in Rus-

sia.

First, in police custody, police routinely torture and ill-treat suspects. Innocent people, sometimes no more than passers-by, regularly become victims of abuse. Those more likely to be ill-treated are the less educated and the less privileged: ethnic minorities, the unemployed, vagrants, peasants, women, adolescents, and in some cases the disabled. A general feeling of impunity and state protection is apparently experienced by police officers. Police officers use torture methods including asphyxiation, known in Russian as *slonik* ("elephant"), beatings, and special methods of physical restraint, known as *lastochka* ("swallow") or *konvert* ("envelope"). In the torture method *slonik*, a gas mask is put on the suspect. The flow of oxygen is restricted or cut off repeatedly until the suspect suffocates and agrees to confess. This torture method is called "elephant" because of the resemblance of the suspect wearing a gas mask to the animal. In another torture method *lastochka*, the suspect's hands are handcuffed behind the back, and in *konvert*, the victim's legs are pulled up to his head.

Second, after police custody, many detainees are transferred to vastly overcrowded pre-trial detention centers. The UN Special Rapporteur on Torture said: "The senses of smell, touch, taste and sight are repulsively assailed. The conditions are cruel, inhuman and degrading; they are torturous."

Third, in prisons, violations often continue. The Russian Government's own Human Rights Ombudsman Oleg Mironov reported that 50 percent of prisoners with whom he spoke in 1998 claimed to have been tortured. Prisons continue to be grossly overcrowded and thousands of prisoners have no individual bed and have to sleep in two or three shifts, often without bedding. Many cells are filthy and pest-ridden, with inadequate light and ventilation. Food and medical supplies are frequently inadequate. The unsanitary conditions mean that illness spreads rapidly. Lung, circulatory and skin diseases, especially tuberculosis and scabies, are widespread. According to reports, the Stalin-era prison system's practice of press-camera continues to be common in a number of prisons and detention centers, whereby prison officials and guards use some prisoners to brutalize other prisoners to control or punish them in return for special privileges.

Torture and ill-treatment are also common in the military. The violent and cruel hazing of young recruits, at best, involves forcing recruits to perform menial tasks, often outside official duties. At worst, it leads to beatings, torture, murder, and suicide. Military authorities and official documents hide the real problem of ill-treatment in the Russian army with euphemisms such as "non-regulation relations" between servicemen, or characterize it as a practice of abuse of young soldiers by old soldiers. In fact, not only soldiers but also officers of the armed forces continue to permit, encourage and often participate in the ill-treatment.

There also have been some allegations of human rights violations by Chechen armed groups. These have been extraordinarily difficult to confirm because independent monitors are still not allowed into Chechnya to confirm the violations by the Chechen forces. There have been claims that the Chechen armed groups have used civilians as human shields as well as in one case of rape of a Russian girl, and there is also talk about beating uncooperative Chechen civilians. But we haven't been able to independently confirm these accusations.

In conclusion, torture and ill-treatment are a huge problem in Russia, but the new rate and severity of torture in the context of armed conflict is highly alarming. Many policy makers, especially in the Clinton Administration, may be hoping that the Chechen problem will just go away. Nevertheless, although the main fighting and the war may be

over, the torture problem will not go away and in fact may even increase. In the current low intensity conflict, the Russian forces are challenged on how to tactically respond. When there are small attacks by the Chechen forces, they simply go into the nearest village and round up the usual suspects and take them to filtration camps where torture is rampant.

As I mentioned, not one person, to Amnesty's knowledge, is currently being prosecuted or has been convicted for these problems. The United States Government and the international community must demand human rights changes as the price of respectability and full participation by Russia in international institutions. The Russian Government wants engagement with the West. They want financial investment. U.S. officials from the Department of Defense should be talking to their counterparts in the Russian military about respect for human rights and humanitarian law and about professionalism in the armed services.

Under the current situation in Chechnya, any civilian can be picked up and brought to one of these filtration camps where torture is routine. This is a clarion call. The problem of torture is not going to go away and may get worse.

A few recommendations. To the Russian Government, immediately release the names of all detained and locations of all filtration camps. Grant detainees access to relatives, medical care and lawyers. End the unofficial practice of accepting bribes to release detainees. Implement the resolution from the United Nations Commission on Human Rights, which established an independent and impartial Commission of Inquiry to investigate violations of human rights and humanitarian law in Chechnya, and submit a report promptly to the member states of the United Nations Commission on its findings. Investigate all reports of arbitrary detention, ill-treatment and torture and prosecute those who have committed those crimes.

Also Russia should invite the thematic rapporteurs, including the UN special rapporteur on torture, on extrajudicial executions, on children in armed conflict and on violence against women.

Recommendations to the United States Government: I recommend that the CSCE Commission itself, particularly the Commissioner from the Department of Defense, raise the issues of professionalism in the Russian military with their counterparts and ask them to look into the human rights violations and violations of humanitarian law. Secondly, the United States needs to be much stronger in urging the Russian Government to implement the recommendations from the U.N. Commission on Human Rights in Geneva. The State Department's Office on War Crimes should be collecting violations of human rights and humanitarian law actively, just like they did in Kosovo. The State Department should also send monitors to the field into filtration camps and to assess the humanitarian situation in Chechnya and the neighboring republics. Finally, the U.S. Government should vigorously implement the Leahy Law to make sure that no funding from foreign operations appropriations flows directly to any security unit that has committed a human rights violation and also that the United States Government trains no one from the police or military that has participated in a gross human rights violation until they have brought him or her to justice.

Thank you.

Mr. PIRTS. Thank you. I will introduce the next briefer. Douglas Johnson is the Executive Director of the Center for the Victims of Torture in Minnesota and a member of the OSCE Advisory Panel for the Prevention of Torture. Mr. Johnson will discuss efforts to

establish treatment centers for torture victims and the role of the OSCE in the field of torture prevention. Welcome.

Mr. JOHNSON. Chairman Smith and Congressman Pitts, thank you for the focus of today's briefing, reviewing issues of torture in the OSCE region as you prepare for the OSCE Parliamentary Assembly. Thank you as well for the opportunity to appear before you.

You have heard compelling testimony today about the extent of torture in two specific parts of the OSCE, Turkey and Chechnya. Unfortunately, the discussion could extend to many other nations in the region. Amnesty International's recent report cites violations of torture and inhumane treatment in 34 countries in the European region. It is also critical of the situation in the U.S., as was a recent meeting of the U.N. Committee Against Torture.

In its recent report, the respected International Helsinki Federation for Human Rights states, "Torture, ill-treatment and police misconduct are the most widespread human rights problems among the states of the Organization on Security and Cooperation in Europe today. Europe makes no exception to the general picture of mistreatment of individuals kept under the custody of representatives of state authorities that can be drawn worldwide."

Reports from other monitoring organizations such as Human Rights Watch confirm this bleak outlook. OSCE declarations and ambitions seek to create the region as a torture-free zone and as a model for achieving security based on high human rights standards. In March of this year, the OSCE and its Office of Democratic Institutions and Human Rights held a supplementary human dimension meeting on human rights and inhumane treatment and punishment. The discussions and recommendations focused on pre-trial detention, prison conditions and the death penalty. The meeting issued a set of 44 recommendations to improve the conditions of pretrial detention to prevent torture. The report is a useful summary of recommendations of practices already discussed and developed, plus some specific operational opportunities for the OSCE to undertake.

The first recommendation to end abuse during the pretrial detention is "political leadership should be exercised." This is true. Yet it begs the question about how the political will can be mobilized so that leadership will be exercised. This is true for most of the recommendations. They assume goodwill, despite the fact that torture is so widespread throughout the region. One such recommendation is that there should be at least one rehabilitation center for torture survivors in each nation of the region. The importance of this approach has become increasingly clear to political leaders. A treatment center for torture survivors restores leadership of the community stolen by repression. It helps victims, their families, their communities overcome purposefully induced fear. It mobilizes the healthcare community through practice that engages many in treatment and produces knowledge and awareness about torture's purpose and impact. It creates political space that others may join to begin working against torture. It provides research that improves forensic capacity to identify and prove when torture is used. It begins to meet the state's obligation under Article 14 of the Convention Against Torture that all victims should receive as full a rehabilitation as possible.

Rehabilitation programs are established, if underfunded, in North America and most of Western Europe, with some notable exceptions such as Spain and Portugal. There are several excellent institutions in countries of repression or recent repression such as ICAR in Romania, which we would certainly urge Congressman Pitts and Congressman Smith to visit on your trip there for the OSCE Parliamentary Assembly. Of course the Human Rights Foundation of Turkey. Programs in Latvia and Estonia are helping deal with the

legacy of the Soviet regime. Nevertheless, other programs are relatively weak and quite new. Treatment programs have been established in Croatia, Bosnia Herzegovina, Serbia, Albania, Russia, the Ukraine and Kosovo. In fact, there are now rehabilitation centers for torture victims in 14 countries of the 28 countries of Central and Eastern Europe and the newly independent states. But the nations of Central Asia and the Caucasus as yet do not have rehabilitation programs, either for the victims of the former Soviet system or for those generated all too often by current governments.

The International Rehabilitation Council for Torture Victims obtained funds from the European Union to help stimulate the development of new treatment centers and fund their first 6 months of existence. We had hoped that USAID and other development agencies would then step in to help secure these institutions' growth and stability while they develop their treatment models and institutional capacities. With the exception of DANIDA [Danish International Development Assistance], however, few other development agencies have been involved supporting treatment programs for torture victims. DANIDA, by law, cannot support those programs in the OSCE region.

Thus, the need is more urgent to find a resource for financial and political support from the West to develop and to sustain new treatment centers if we are to meet the recommendations of numerous OSCE meetings on the subject. Without outside financial support, we are also in danger of losing some of the more experienced treatment programs such as ICAR in Romania, just at the time we should be drawing on their accumulated expertise to help develop other programs in the region. This was a tragic experience in Chile, Argentina and Uruguay, where many vibrant institutions disappeared when international focus and funding shifted to other regions of the world. Thus, the world lost a resource that would have been helpful to promote rehabilitation programs in Peru and Colombia and elsewhere in Latin America. I am afraid this is also occurring in Southern Africa. It will be an important legacy of this Commission if together with the OSCE it can help mobilize the political will to prevent this from also happening in the OSCE region.

Now establishing a rehabilitation program will not alone end torture in that country. It will have many positive impacts and I believe is an essential component of any overall effort to end torture. Nevertheless, like any single tactic, it will not succeed on its own. Torture exists in the highly complex systems and is reinforced by police training and impunity, prosecutorial zeal, political revenge and fears, corrupt and inefficient judiciaries, public attitudes and apathy—even apathy induced by fear. The use of torture will not yield to individual tactics, no matter how well conceived or pushed by governments, by non-governmental organizations or by international agencies.

The list of 44 recommendations on how to eliminate torture during pretrial detention attest both to the deeply embedded nature of the problem and the steps we know must be taken to end torture. What is missing is a body that pulls these steps into a comprehensive strategy able to wage campaigns, country-by-country if needed, to mobilize the political will necessary to implement the steps recommended. We need leadership with strategic capacity that can assess the components, specific causes and the beneficiaries of national uses of torture and then draws together the many agencies and approaches with an interest and capacity to contribute their piece of the campaign. This is what I hope the OSCE could provide with its unique combination of economic and security concerns and expertise with strongly grounded values in human rights and democratic cultures. But it is also an agency of governments. Even governments who proclaim loudly their desire to end torture are not readily convinced to participate in a global effort of this magnitude. The vision for this must come from its members and especially from the United States. It



must be a highly visible political goal to struggle for agreements to have the organization fulfill this strategic role. I believe that this effort must come from this Commission and I urge that it do so. Thank you.

Mr. PITTS. Thank you. Is it all right if I begin the questioning? First, thank you again for all your tremendous work on behalf of torture victims and the effort to stop torture, and we look forward to working with you on that. If I could just ask a couple of questions to our first briefer. What excuses does the Turkish Government continue to give when confronted with allegations of torture?

Dr. GENEFKE. The reason why they were going to Dr. Zeki Uzun's clinic and took him and tortured him was that they were saying that he was treating PKK terrorists. You know that is exactly one key factor which is extremely important. Because we are doctors and we have our ethical declarations which say that we shall treat foe and friend. We should treat the people who come to us. That was the reason they provided. In other cases, they have been asking—having the names of the torture victims who were helped in these five centers in Turkey. They wanted these names because they said they would "prosecute the torturers." In fact it is grotesque and absurd because the torturers are the authorities, the police themselves. That is the excuse.

Mr. JOHNSON. Congressman Pitts, usually at international meetings of the OSCE, the Turkish Government denies that torture is systematic. They may say occasionally, as President Demerel did about 6 months ago, that torture occurs, but they deny it is systematic. The important part of the new report from the Parliament is that it agrees that torture is systematic and is widespread. In reaction to this report, the Interior Minister gave a very curious justification for why torture occurred. He said that the judiciary is so broken and that victims of crimes have so little hope for seeing justice done that the victims of crime demand that the police take on punishment within their own capacity and mete it out, and that this is a public demand for the police to be engaged in abuse and torture.

Mr. PITTS. Are there any instances of prosecution of police brutality?

Mr. JOHNSON. There are a number of instances. They drag on for many years and they generally result in extremely small fines and imprisonment. Usually the police are allowed to continue in practice even during the trial. Perhaps the most famous case internationally is the case of the torture of children in Manisa that occurred in February or March of 1996. The children were convicted of the crimes of which they were accused, although it has been laid aside until the results of the hearing of ten policemen who were involved in their torture. This case has just dragged on forever and ever. As the judge continues to release the police, the Supreme Court has demanded that they retry them. I would say to reinforce something Dr. Genefke said recently, that our treatment colleagues in Izmir have been very involved in doing the forensic documentation of that case. In—I think it was March of this year—Dr. Veli Lök was at that trial and was taken aside and shoved aside by a number of the policemen who said that they knew who he was. They were going to get him for his role in producing forensic evidence in the trial.

Dr. GENEFKE. I believe we are at the key problem. Because after this, a quarter century of research, we now are able to diagnose torture. That is a very strong weapon in our hands: in the doctors' hands. That is why the Turkish Government wanted to kill the doctors' movement, because it is very strong. So they are attacking now an extremely recognized person like Veli Lök. When they attack him and his team in Izmir, they can attack each and every one. So they silence—as torture governments do, they silence not only the population but also the doctors. Our weapon will be destroyed now because no doctor in Turkey dares to document because they are threatened, just as Doug Johnson

said. They are threatened and we cannot prove the threats, but we know of course the doctors. They are threatened that they will be taken and tortured again. So everybody is now very afraid. The Turkish Government will then be in a secure position because then we cannot document the torture anymore. So even with the Parliamentary Commission and what has been said, we cannot continue document. So they can go to the EU and say, okay, there are no documented cases because no doctor dared to do it. We are in an extremely crucial situation now. We have to protect the doctors. Graciously, the World Medical Association Secretary General, Dr. Delon Human, went there and he will revisit there again, also the EU Standing Committee of Doctors. So we will go on and on. Nevertheless, it is a very difficult situation exactly because our colleagues are so afraid and are now being tortured.

Mr. PITTS. Ms. Greenwood, in the torture or the secret filtration camps you mentioned, how many people do you estimate are subject to torture? In your opinion, how many undocumented cases exist in the Russian Federation? Is it possible to quantify it?

Ms. GREENWOOD. Quantifying is impossible because no independent observer has had access to the camps. Attached at the back of my statement are lists of cases, currently less than 100. These are lists that were kind of secretly smuggled to us, and they were very difficult to confirm. There was a report on the First Chechen War that in approximately a 6-month period during that three-year war, 1,500 people passed through filtration camps.

Mr. PITTS. How many?

Ms. GREENWOOD. 1,500.

Mr. PITTS. 1,500.

Ms. GREENWOOD. But it is very difficult to tell about the present war. According to official information, a total of 1,325 persons passed through the "filtration camps" between December 11, 1994 and July 22, 1995.

Mr. PITTS. I would like to open it up to questions to anyone in the audience or staff.

Ms. SCHLAGER. Thank you. I would like to take the privilege of asking a question of Ms. Greenwood. I would like to add that, for people from the audience who would like to ask a question, we are having this briefing transcribed. So I would ask that you would step forward to the front of the room where there is a microphone and state your name and a staff person from the Commission will approach you after you have asked your question to ensure that we have your name spelled properly for the record.

Ms. Greenwood, I have a two-part question. First, are you aware of whether or not the International Committee of the Red Cross has sought to have access to Chechnya? If so, what has become of that effort? Then secondly, I am wondering if you can comment on the extent to which the existence of an ongoing conflict in Chechnya has impeded the efforts of people to go into the region and monitor it. I ask that in part knowing that OSCE representatives have at times not been able to get into the region because of those security concerns. Thank you.

Ms. GREENWOOD. My understanding is that as of 2 weeks ago, the ICRC was granted access to some filtration camps. While that is a very positive step, there are many filtration camps. Also, the information that the ICRC collects is secret. So that it isn't possible to know what they are finding. But that is a good step. Yes, we are definitely calling on the Russian Government to provide security guarantees to the region so that independent human rights monitors, international observers, journalists and humanitarian groups can have access to the region. Lack of access has been a tremendous problem. Also one recommendation is for the U.S. Government to urge that the OSCE Assistance Group to Chech-

nya be reestablished in the region. I think that would facilitate visitors.

Ms. SCHLAGER. Thank you. Are there some questions from people in the audience that you would like to ask? Okay, there is a microphone right up here. If you could state your name and then someone will get the correct spelling.

Mr. HICKEY. I am Peter Hickey. Can you just talk about the State Department's engagement with the Putin government or the Turkish Government on the issue of torture?

Ms. SCHLAGER. I am sorry, which governments?

Mr. HICKEY. Could you just talk about the level of engagement between the State Department—you know, Madeleine Albright thinks Putin is a man she can work with. Has the State Department been working with the Russian Government or the Turkish Government on this issue? Have they been engaged and can you describe it? I also wanted to ask if the U.S. has transferred equipment to security services that have been used in torture?

Ms. SCHLAGER. Thank you. Maureen, did you hear the question on engagement with Mr. Putin?

Ms. GREENWOOD. Yes. We have been very disappointed in general by the Clinton Administration's unwillingness to raise violations of humanitarian law and human rights law in the conflict. We didn't have indications that during his recent trip to Russia that it was raised at very high levels. In terms of assistance, I do know that in the past—and my colleagues can answer on Turkey, but I also follow that issue—there is currently no foreign assistance that goes directly to Turkey. But there is currently pending a \$4 billion attack helicopter sale, and we know that helicopters have been used directly in human rights violations against civilians in the past. There are also transfers of electric shock batons which are used in torture.

The Russian Government receives U.S. economic and military assistance through the Foreign Operations Appropriations Act. I can't tell you if U.S.-supplied equipment has directly been used in torture. However, under the Leahy Law, the U.S. Government should screen all recipients for human rights violations. The U.S. Government should collect information on criminal investigations against abusive law enforcement officials.

Mr. JOHNSON. Of course, that is a question to ask the State Department. We can only see what is visible to us. I was pleased when I attended Veli Lök's trial in February that the human rights officer from the embassy came and attended the trial. It took place in the judge's chamber and very few people were actually allowed in the chamber. I was also pleased that she shouldered her way in to make sure that she was one of those people there. There was also further follow-up by that office, and it appears to me that at least the human rights officer is very active and very committed. The question is how do things go further up.

The situation with the helicopter sales I think is illustrative of where the United States has leverage. Assistant Secretary Harold Koh and Assistant Secretary Marc Grossman were actively engaged in trying to encourage the Turkish Government to understand that the current human rights situation would impede the sale of those helicopters. It will still boil down to whether or not the U.S. will still value the human rights situation over the sale of those—of that equipment. The proof is in the pudding, as it were, and the pudding is not yet pudded.

So I think more can be done about Turkey. The State Department could be more actively engaged. I attended the OSCE meeting in November 1999 and Assistant Secretary of State Koh was there being extremely active and visible. He met with the Turkish Government, with Turkish NGO's and giving encouragement. I think that the human rights

community has felt more and more supported by the U.S. Government in Turkey. They are much less suspicious than they were 8 years ago about U.S. motives, more able to rely on the U.S. Government by their own accounts they were previously. That in itself is a good sign. Again, we would encourage them to do more of that.

Dr. GENEKKE. May I just add—because I think that Doug Johnson said it very rightly—what is really important is the political will. Of course it is up to us to explain and to make the relevant pressure at the relevant places. So we are doing so. We are sending our reports and our demands to all the EU Embassies, because we know that Turkey wants to go into the EU—to all the EU Embassies in Ankara and all the EU Embassies, and of course also including the American Embassy. We have really answers for that to Chris Patten and to Brody, who are responsible in the EU. This sort of pressure or this sort of weight to make open what happens is extremely important for the moment also. My Foreign Minister may be from Denmark, he raised the problem last time a couple or 6 weeks ago when he went to Turkey, and that is the way we had to work that. The politicians from our countries, they had to raise it and they had to take the necessary steps because we know that torture is there for silencing people. We know that torture is the most important instrument against democracy. We know they are attacking exactly the leadership as we have been talking about. So this is up to the democratic leaders in our country to use the information we give as professionals. To use it and take the right steps toward the Turkish authorities. We also know that the Turkish authorities do not like what we have been doing so far. That is evident. We are going on with the pressure with the help of you also. I think this is the only thing that can help them now, international pressure. So we appeal to all of you here.

Ms. GREENWOOD. I want to add one point. I agree with everything that Doug said. But I wanted to clarify two issues on the specific topic of the attack helicopter sale to Turkey. First, senior State Department officials promised both the human rights community NGOs and told the weapons contractors that the Turkish Government had to meet human rights benchmarks, and make concrete and significant progress in order for the export license to be granted. One of those human rights benchmarks was prosecuting torturers.

Secondly, I agree with you that the proof is in the pudding. But it is not just a question of goodwill. The State Department and the Administration are also legally bound under the Arms Export Control Act to apply human rights conditions to arms transfers.

Dr. GENEKKE. I am very much afraid for cosmetic changes in Turkey. Because we know from the Manisa trial where children were tortured, they attempt now to make a trial against the torturers. The last trial just a few—when I was there maybe 10 days ago or something like that, the torturers had disappeared—the two they wanted to charge with had disappeared.

Mr. JOHNSON. I want to just make a comment about something else. I have been working on for the last 5 years in Turkey. As you can tell from my testimony, I am very concerned about the narrowness of tactics applied around the world against torture and how difficult it has been to conceive of a strategic response that really bears pressure on changing the situation.

In 1995, we proposed the development of an international training event that we would propose to do in Turkey. It wasn't about Turkish human rights situations. It was about the development of emerging tactics around the world to resolve human rights problems. Issues like torture, but other forms of human rights problems. What we were proposing to do was bring in government officials, international agencies, non-government organizations that had been developing promising approaches to make changes. The no-

tion of this was an international conference of 700 people to help spread the capacity for tactical flexibility among all of us and to help build strategic thinking. But the notion of having it in Turkey was to disseminate more ideas into civil society and into government bureaucracy than currently occurs.

Now I discussed this initially with our Ambassador to Turkey, Marc Grossman, who was enthusiastic and has been working with me ever since in his capacity as Assistant Secretary of State. We are constantly running into one major problem, which is called money. We have the European Union very interested in this program, but they want a signal that the U.S. Government is also interested. I would say it has been a significant embarrassment and frustration to people in the State Department that so little funds are available to try something new and to engage a place like Turkey in a different area. That, of course, is I think very symptomatic of where cuts have occurred in the American budget to the expense of our own capacity and flexibility to make change whereas other parts of our budget, such as our military budget, continue to rise above requested levels. I think we need a balance in our own approach of determining that we are going to allow ourselves more tactics than military intervention in order to resolve problems. This is certainly a place where the U.S. could be engaged with a country and needs to invest some resources in that effect.

Ms. SCHLAGER. Thank you. I think we have a question up here and then another one from the back. Do you want to start, please?

QUESTIONER. Yes. My name is Gareth Cooper. My question is concerning the benchmarks you had mentioned—some benchmarks that Turkey had to qualify or at least take under—anyway, my question is concerning the relationship between the Turkish Government and Cyprus concerning human rights issues. I was wondering, you mentioned that things are improving. However, sometimes issues aren't brought up or things aren't disclosed. I was wondering, what are the human rights issues concerning the relationship between those two countries?

Dr. GENEKKE. Between Greece or—

QUESTIONER. Between the Republic of Cyprus.

Dr. GENEKKE. Greece and Turkey you are talking about?

QUESTIONER. Yes.

Dr. GENEKKE. Okay. There are problems there. I think that there has been a softening—that is my personal feeling because of the help from the Greek Government after the massive earthquake in Istanbul and other places. I think that helped. The climate was extremely tough for many, many years as you know. I think there is a softening phase now. But I don't think anyone else will have any details about it.

Ms. GREENWOOD. I am going to give you the list of the eight human rights benchmarks. They include decriminalization of freedom of speech; prosecuting torturers; releasing imprisoned parliamentarians and journalists; ending harassment of human rights defenders and re-opening non-governmental organizations; ceasing harassment and banning of political parties; lifting the state of emergency in Turkey; resettlement of internally displaced persons to villages; end-use monitoring and rules of engagement for U.S. supplied weapons. But the benchmarks are human rights benchmarks and do not touch on the Cyprus issue.

QUESTIONER. Okay. Thank you.

Ms. SCHLAGER. I think there is someone else who wanted to come forward and ask a question.

QUESTIONER. I am Sister Alice Zackmann from the Guatemala Human Rights Commission USA. First, I want to commend all of you for excellent presentations about torture. Mine is more of a comment than a question. Unfortunately, Amnesty's report this year indicates that more countries practiced torture this year than last year. Now I know Amnesty is going to have a major campaign against torture, for which we are very grateful. Nevertheless, I think the U.S. people particularly have to begin to take action against torture. Politicians must hear from their constituents about the severe crisis of torture in the world, so how can we get this kind of information to the grassroots level? It is very difficult to do. I know we have been trying to raise the issue, and people just don't want to hear about it. It is one issue where you can't take sides. You have to be against it. You can't be for it. People like to take sides in an issue, and this one you can't. So I guess I just raise the question: how can we get through to the grassroots people to help bring an end to torture. If people knew, for instance, that the United States was going to sell helicopters to Turkey, I think they would really rise up against it. But they don't know. There is so much secrecy about what is going on.

Ms. SCHLAGER. Thank you.

DR. GENEVKE. Let me answer it generally because I am not from your country. Generally what we are doing at our organization, the IRCT, an umbrella organization for nearly 220 centers and programs globally is that we are going out and creating centers and supporting them. What we are trying to do is—the press is incredibly important. To work with journalists. We have campaigns and we try to go out delivering messages. I think there are several levels. There are the general things said about torture, what we have been saying, weigh them against democracy. Then you have for each country. You know there are more than 100 countries in the world where the governments are behind the torture and the people are silenced. For example, visit an African country. Where in Africa is there not torture? Go to an Asian country, go to a Latin American country, or Central American country or wherever. There are very few countries where it is not the authorities who are behind the torture. Take the definition of torture, the international definition of torture. So you have the level of the general awareness of torture and then for the different—like my line, I say there are enough to talk about. But you are very right. For many years, people are like small apes—don't see, don't hear, don't talk. We should be human and look into the evil in the eyes and that is torture. I don't have the answer, but I think one answer is that you can make a difference. We should take it the way that if we really work together, we can make a difference. We have done it in some places. You should have that positive thing. When Amnesty started teaching us against torture, we knew nothing. Today we are aware—physical, psychological and social. We know about the after effects. We know why they are torturing. We started with the victim. We saw it was also spouses and children suffering. It is transgenerational. It is the whole society. So we can explain now, and I think this is a very strong weapon.

Ms. GREENWOOD. I share your views that it is a tremendous challenge in general to get the American public interested in foreign policy issues, and I hope we can work together on this. Amnesty is a grassroots membership organization. We are active in 600 high school and college campuses and we are working on torture cases. So we are really trying to work on getting the next generation interested. In the past 2 years we have been developing a congressional strategy of trying to get Amnesty members in every congressional district to raise one prisoner case with each Member of Congress. So we are trying to get every Member of Congress contacted by Amnesty constituents to be writing on prisoner and torture cases. But, you know, we have a long way to go and Amnesty is a volunteer

organization. So anybody who is interested, they can let us know.

Mr. JOHNSON. About 8 years ago, we had a focus group of wealthy individuals who donated to the center and a group of people who should have but weren't. I sat on the other side of this one-way mirror so I couldn't interfere with the conversation and it taught me a lot. Within a minute, this group of about 10 Minnesotans, very safe, well-to-do people started talking about the problem of fear and how somebody's stomach was queasy, someone's hair stood on edge talking about the problem of torture. This was something that was very easy to turn the page on. Of course when people turn the page, they don't pay attention and they don't act. They don't fund. They don't do a lot of things. So the problem in their view was how do you get people not to turn the page.

For us, they emphasized that the center is a place of hope. In front of me, they developed a phrase that we still use to define our mission, which is restoring the dignity of the human spirit. What we tried—what we learned from that was that if—it is messages of torture which emphasize the horrific—the cases, the details, they appeal to a certain group of people, but mostly they frighten people and turn them away.

They hear the stories once, they go home and have a nightmare that night, and they don't want to talk about it again. That if we want to engage people in this work, we have to emphasize the hope. I think that is one reason I have stayed with the treatment programs and why I am very excited about their development is that we bring something to the table to the human rights community that has been missing, and that is a strong element of hope. We can restore, we can prevent, we can engage new constituencies. It is very important for all of us, I think, to figure that out, how to lead. It is an old organizer's principle from Alinsky that you might mobilize a community with something of anger, but anger burns out and becomes apathy very quickly. People get out of bed and they work every day when they have hope and finally when they know that they can make a difference.

So the responsibility of the human rights community and all of us who care about this issue is not only to constantly raise the hope that will motivate us to continue, but very specific actions that, number one, people can really understand politically this makes sense to do and it will make a difference; and number two, my participation in it is vital. That requires creativity on our part. It requires amplifying the number of tactics we use. Because a tactic is like a lesson, it attracts a certain constituency and others it leaves cold. So we have to engage people on many, many different levels to draw them in. To get past that great sense of fear that torture brings and become engaged in it.

If this is a problem in the United States, think of what a problem it is in Chechnya and Turkey and so forth. Several years ago I met with a lead official in Turkey in the Human Rights Ministry and we were talking about the Putnam research about the more civil society organizations there are, the more honest and efficient and democratic are the governments. He had never heard about this research, but at one point kind of light went on in his face. He said, you know, we are a country of 60 million people—it is now 64 million—and in the entire country, only 1 million are engaged in any kind of civic society organization, including, he said, the administration of mosques.

The 100,000 mosques in Turkey, each with a board of directors. There are not many people left of this million to be engaged in civil society. Do you know why, he asked me? He said it is fear. That over generations Turks have learned to be fearful of public life. We have retired to our families. We have retired to our businesses. And we stay out of public life.

That is torture's purpose: cultural transformation to create a climate of fear where

people learn to be apathetic. But we need to learn the lessons for ourselves about how to engage ourselves in this issue, and we also need to be engaged in the world in helping communities heal, helping them recover their leadership, helping them overcome the legacy of fear so that they can participate in democratic life.

DR. GENEKKE. Maybe it is appropriate that I add that I have been very impressed with all the NGOs in your country. Last year on the 26th of June, which is the anti-torture day honoring the victims—the United Nations Day for Victims of Torture is the 26th of June. The NGOs in Washington—I think last year there were 400—gathered together for a vigil before the White House.

There will be the same this year. Many NGOs will be there and present and say that they think about the victims of torture because it is so important for them to be recognized. I have been very impressed with the NGO, may I say, climate in Washington and also in Minnesota, where the center managed to raise much awareness between NGOs and people.

Ms. SCHLAGER. Thank you. I think we have just about exhausted our time now. So I would like to close perhaps by making one reflection of my own on the question that was just raised. Certainly from the perspective of someone who sits in Washington day in and day out, I would want to underscore how extremely important public engagement is to policy makers in Washington, first and foremost by documenting the human rights violations.

There is simply no substitute for the role of the independent, non-governmental community in that capacity, and in keeping our own government honest and ensuring that human rights has the priority it should in the conduct of our foreign policy.

I would like to thank each witness who has appeared here today. I think the richness and thoughtfulness of their remarks illustrates their years of experience and their dedication to this subject. I also want to thank them for the constructive challenges they have left for Washington policy makers here today. We have heard you.

Thank you.

(Whereupon the briefing was concluded at 11:26 a.m.)



**PREPARED SUBMISSION OF MAUREEN GREENWOOD,  
ADVOCACY DIRECTOR, EUROPE AND THE MIDDLE EAST,  
AMNESTY INTERNATIONAL**

Thank you, Chairman Christopher Smith, Co-Chairman Senator Ben Nighthorse Campbell and other members and staff of the Commission on Security and Cooperation in Europe for organizing this important briefing. Amnesty International is an independent worldwide human rights organization. Amnesty has more than one million members in 140 countries, with over 300,000 members in the USA. Amnesty works to free all prisoners of conscience; ensure fair and just trials for political prisoners; abolish torture and the death penalty, and end extra-judicial executions. Amnesty also opposes abuses by armed opposition groups. Amnesty has no position for or against the use of military force.

We thank Chairman Smith and the CSCE for the recent statement criticizing the Russian customs officials' confiscation of Amnesty International's reports on human rights violations in Chechnya as "anti-Russian government propaganda" in May. To date, despite repeated Amnesty requests, Russian officials have not released the documents.

My remarks will cover the new increased level of torture in Chechnya in the context of Russia's armed conflict in the Russian Republic of Chechnya. I will highlight a few selected cases of torture. I will also examine the larger context of systemic problems with torture and ill-treatment in Russia, allegations of human rights violations by Chechen armed groups, and make recommendations for eliminating torture to the Russian Government and the US government.

According to the definition of torture in the United Nations Convention Against Torture, the three essential elements include: (1) infliction of severe mental or physical pain or suffering; (2) by or with the consent of state authorities; and (3) behavior for a specific purpose, such as gaining information, punishment, or intimidation. Torture may be distinguished from other forms of ill-treatment by the degree of suffering involved and the need for a purposive element.

**TORTURE BY RUSSIAN FORCES RELATED TO THE ARMED CONFLICT IN  
CHECHNYA**

Amnesty International continues to collect evidence of daily human rights abuses in Chechnya. Despite recent Russian government assurances that all crimes against civilians will be investigated, all perpetrators remain unpunished. Amnesty International's research team visited North Ossetia and Ingushetia last month, which are neighboring provinces of Chechnya, and Amnesty received new disturbing testimonies from survivors of secret Russian "filtration camps."

We confirmed that Russian forces are constantly detaining people at checkpoints in Chechnya and in the territories under their control, either during so-called "cleansing operations" in newly-occupied towns or during identity checks on civilian convoys traveling from Chechnya to neighboring Ingushetia. People are most often detained for not having proper registration and a residence permit, or on suspicion of belonging to armed Chechen groups. Women are also detained on suspicion of being related to Chechen fighters. At one point the Russian official policy was to arrest all Chechen males over age 10 to be automatically treated as rebels. People detained by Russian forces are then sent to various secret "filtration camps" where they are held without access to their relatives, lawyers, or the outside world.

Detainees in secret “filtration camps”—men, women, and children—are routinely and systematically tortured: they are raped, beaten with hammers and clubs, tortured with electric shocks and tear gas, their teeth are sawed off and some are simultaneously beaten around both ears to burst the ear drums.

These “filtration camps” are not actual police stations or prisons—they are makeshift operations without the basic living facilities properly to house detainees. Some known “camps” are hastily constructed, for example, out of a poultry processing plant, the basement of a café, or train carriages (see appendix I).

Detainees are usually released after a bribe that the family of the detainee pays, with the price varying from hundreds to thousands of dollars. Filtration camps have also turned into an unofficial business, where the detained are effectively sold by the camp authorities. Amnesty knows of only one case where a person was released from a “filtration camp” without being “bought out” by a relative or friend.

Meanwhile, the Russian government has failed to allow independent observers to access filtration camps and tries to hide the problems. Amnesty heard of one case where a delegation was visiting and the detainees were placed in an ambulance in the back of the building all day without food or water until the delegation left town. The Russian government has rejected any allegations of torture in Russia so far.

The following cases are selected from dozens of cases documented by Amnesty International. The appendix includes: a list of filtration camps currently known; cases of probable death in custody; and lists of detainees in “filtration camps.” More Amnesty documents are available at our web site at [www.amnesty.org](http://www.amnesty.org).

#### CASE OF “ZELIMKHAN”

Twenty-year-old “Zelimkhan” was detained on 6 May at his parents' house in the town Urus-Martan by a group of about 15 Russian federal forces officers, allegedly members of the special detachments (OMON). He was taken to the outskirts of Komsomolskoye village, ordered to take off his clothes, handcuffed and forced onto his knees. “Zelimkhan” was beaten with clubs for about two hours by four OMON officers while the rest of the group watched and laughed. He was asked to sign a confession stating he was a Chechen fighter and that he took part in fighting. Later the same day, “Zelimkhan” was taken to the “Internat” filtration camp.

In the “Internat” filtration camp, he was brutally gang-raped by four or five OMON officers. “Zelimkhan” was blindfolded and handcuffed and ordered to lay on a table face down before being sodomized with wooden clubs and the butt of machine-guns. He was also repeatedly kicked in the area of the genitals while asked to stand naked by a wall. “Zelimkhan” said the officers also squeezed his genitals, repeatedly saying they would make him handicapped and incapable of producing children. He was questioned by an investigator who had ordered the rape, and asked to sign a confession that he was a Chechen fighter, which he refused.

“Zelimkhan” was released on 13 May for the sum of \$300 after being forced by the “Internat” authorities to sign a document claiming that he had not been subjected to ill-treatment. After his release he was immediately hospitalized. In a statement the doctors treating him concluded that he had sustained numerous bruises and haematomas in the area of his ribs and chest and in the area of his kidneys, and that he needed treatment by a urologist because of an inflammation and infection in the genitals.

“Zelimkhan” also told Amnesty International that detainees in the “Internat” have

their ears pierced with sharp nails. Children were also tortured and ill-treated in the "Internat." "Zelimkhan" witnessed how 15-year-old Timur, a student at School No. 4 in UrusMartan, was severely beaten by the guards and a number of his ribs were broken. Timur was apparently detained together with his uncle, who was suspected of being a Chechen fighter. Eventually Timur was released when the family paid \$700 to the guards. "Zelimkhan" also told Amnesty about his cell mate Rustam Gandarov, who was detained three times and was released only after his relatives paid \$3,500.

### CASE OF "MUSA"

The testimony of a survivor of the Chernokozovo "filtration camp," given under the name of "Musa" is illustrative of the situation existing in the camp early this year. "Musa" was detained with 10 other men on 16 January in the village of Znamenskiy in Chechnya. While traveling on a bus with his mother and brother, "Musa" was taken to the Temporary Department of Internal Affairs in the village of Znamenskiy and kept there overnight with other detainees. On 17 January the whole group was taken to a "filtration camp" in Chernokozovo.

"Musa" told Amnesty: "The guards started beating us from the minute we entered the camp. There were about 20-25 men in masks in the camp yard, standing in two lines and forming a live chain, something like a 'human corridor'. We were pushed through this corridor and each of the guards began hitting us with clubs. Then they ordered us to completely undress and we were forced into a freezer room, previously used for freezing meat. They kept us there naked for a while and then ordered us to dress up and get out. They began beating us again in the corridor outside the freezer. They continued beating us in the cell, too. During this first night in the camp I was beaten four times.

The next day, 18 January, we were forced to run through the live chain of armed guards in masks in the corridor in front of our cells. Some of the guards were armed with sledge hammers, the rest had clubs. When I ran through their corridor, somebody hit me on the back with a hammer. The pain was so strong, that I was not even able to feel any pain during all the rest of the beatings with clubs. This is when my spine was broken.

During the night it was impossible to sleep because of the screams you could hear from other cells. I was brought to the office of the investigator in order to sign a confession that I was a fighter or that I had aided them. I was told by the guards that I have answer to any questions by the investigator. When I entered his office there were two electric wires hanging from the ceiling. They threatened me that if I did not confess and sign the papers I would be electrocuted. The guards pushed my face onto the wires and at that moment I passed out."

"Musa" told Amnesty International that he saw a man in his cell whose hands were severely burned by the prison guards with cigarette lighters. Another of his cellmates, a 17-year-old teenager, had his teeth sawed off with a metal file by the guards and his lips were shredded. He could not speak, eat or drink. Several other people among his cellmates had burst eardrums as a result of torture. This torture method involves the prisoner being hit simultaneously on both sides of the head in the area of his ears. "Musa" remembered a young Chechen student in Moscow, who had been detained on the train to Moscow while traveling to attend university exams. The student was so badly beaten, according to "Musa," that he had lost his mind.

"The soldiers often told us, 'even if you get out of here alive, you will certainly be handicapped.'" An independent medical examination of "Musa" after his release concluded

that he had a fractured spine. He suffered serious bruises on his abdomen, and on his spinal column, and suffers abdominal pains and a serious head trauma.

### **CASE OF RAZMIK NAGDALIAN**

The problem of persecution of ethnic Chechens and others from the Caucasus exists not only in the Russian Caucasus but also throughout the vast territory of Russia. Amnesty International has received a number of reports about incidents of torture and ill-treatment by the police of Chechens and other people from the Caucasus taken into custody following routine identity checks on the street or in their homes. Amnesty is not aware of any convictions based on criminal investigations by the authorities into the allegations of torture and ill-treatment of Chechens in custody. Torture and ill-treatment have reportedly often been used to induce a detainee to sign a confession relating to possession of drugs or weapons. Sometimes, ill-treatment occurs without any obvious reason, in what appear to be racist attacks. Alleged victims of torture and ill-treatment in custody were mainly Chechen adult men, but cases of ill-treatment of women and adolescents under 18, were also reported.

Razmik Nagdalian is an Armenian born in Azerbaijan, who moved to Moscow in 1994. Razmik Nagdalian became ill at the age of 31 and is registered as an invalid. He has a brain tumor and epilepsy. On 23 September he was walking on the street near Savelievsky train station in Moscow when three officers of the special police detachments (OMON) asked for his documents. Razmik Nagdalian showed his passport but the OMON officers thought his type of registration was suspicious. The men took him into a square, forced his arm behind his back and swore at him, saying: "Don't you know whose land you are living on?" They beat him with their fists and kicked him around his kidneys and to his head. Razmik Nagdalian said that he hit a wall and fell on the ground. His head was cut. The officers took his passport and ripped it. At this point he lost consciousness. Razmik Nagdalian said that he did not know if it was an epileptic crisis or not.

When he gained consciousness he found himself on the ground with a severe headache and the jacket he was wearing was all bloody. The next day that he went to the local polyclinic and obtained a medical certificate that registered the injuries he had suffered as a result of the beating. He went with his complaint to the duty officer at police department No. 14, but no investigation ever took place.

The purpose of torture in Chechnya is similar to torture in general—to extract confessions or extract testimony incriminating others. An underlying reason for the torture is to attempt to break the personal spirit of an individual. A terrible aspect of the torture is that people are held incommunicado in these detention centers for days, without access to relatives, medical care, or a lawyer.

### **OVERALL CONTEXT OF TORTURE IN RUSSIA**

I would like to separate out the torture occurring around events in Chechnya (i.e. in the context of an armed conflict) from the broader pattern of torture and ill-treatment in the Russian Federation. Torture in Chechnya represents the special problem of a war zone (or technically an internal armed conflict) where the problem is extreme, including new types of torture that Amnesty has not previously recorded such as the filing of teeth with a metal saw. In Russia in general there are broad systemic problems with torture and ill-treatment—but the conflict in Chechnya represents an increase in frequency and severity of torture incidents. Torture in the context of an armed conflict could be con-

trolled through the command structure of the Russian military and police forces. Responding to the current level of torture and ill-treatment is a test of the professionalism and the military competence of the Russian security forces. They are failing miserably.

For instance, Russian officials have long claimed that brutal hazing or *dedovshina* in the Russian military only occurs rarely and is not an official policy. But the current systematic and routine torture in the context of an armed conflict in Chechnya, if it is not an official policy, should be an error that Russia's military command structure can eliminate. It is being perpetrated with complete impunity.

The nationwide problem of torture and ill-treatment in Russia is fueled by the overall political and economic crisis. As Russia continues to reinvent itself after the old totalitarian Soviet system, Russia has not yet successfully put in place systemic criminal justice reforms, leaving thousands of people gravely mistreated.

As Amnesty documented in its landmark 1997 report, "This Man-Made Hell," on torture in Russia, structural problems in the Russian criminal justice system facilitate torture.

Torture and ill-treatment are fostered by: an over-reliance on confessions for evidence; pressure on police to solve crimes without resources to conduct forensic investigations; outrageous overcrowding in pre-trial detention centers, and ill-equipped and under-funded prisons. Other factors that enhance torture include an underdeveloped culture of rule of law resulting arbitrary decision-making; a breakdown in discipline leading *dedovshina* or brutal hazing in the armed forces; and impunity for abuses in the system.

According to the 1999 Department of State Country Reports on Human Rights Practices on Russia, "There are credible reports that law enforcement personnel regularly use torture to extract confessions from suspects, and that the Government does not hold most of them accountable for their actions."

Torture is carried out in at least three phases in the criminal justice system in Russia. First, in police custody, police routinely torture and ill-treat suspects. Innocent people, sometimes no more than passers-by, regularly become victims of abuse. Those more likely to be ill-treated are the less educated and the less privileged: ethnic minorities, the unemployed, vagrants, peasants, women, adolescents, and in some cases the disabled. A general feeling of impunity and state protection is apparently experienced by police officers.

Police officers use torture methods including asphyxiation, known in Russian as *slonik* ("elephant"), beatings, and special methods of physical restraint, known as *lastochka* ("swallow") or *konvert* ("envelope"). In the torture method *slonik*, a gas mask is put on the suspect. The flow of oxygen is restricted or cut off repeatedly until the suspect suffocates and agrees to confess. This torture method is called "elephant" because of the resemblance of the suspect wearing a gas mask to the animal. In another torture method, *lastochka*, the suspect's hands are handcuffed behind the back, and in *konvert*, the victim's legs are pulled up to his head.

Second, after police custody, many detainees are transferred to vastly overcrowded pre-trial detention centers. The UN Special Rapporteur on Torture said: "The senses of smell, touch, taste and sight are repulsively assailed. The conditions are cruel, inhuman and degrading; they are torturous."

Third, in prisons, violations often continue. The Russian Government's own Human Rights Ombudsman Oleg Mironov reported that 50 percent of prisoners with whom he spoke in 1998 claimed to have been tortured. Prisons continue to be grossly overcrowded and thousands of prisoners have no individual bed and have to sleep in two or three shifts,

often without bedding. Many cells are filthy and pest-ridden, with inadequate light and ventilation. Food and medical supplies are frequently inadequate. The unsanitary conditions mean that illness spreads rapidly. Lung, circulatory and skin diseases, especially tuberculosis and scabies, are widespread. According to reports, the Stalin-era prison system's practice of press-camera continues to be common in a number of prisons and detention centers, whereby prison officials and guards use some prisoners to brutalize other prisoners to control or punish them in return for special privileges.

Torture and ill-treatment are also common in the military. The violent and cruel hazing of young recruits, at best, involves forcing recruits to perform menial tasks, often outside official duties. At worst, it leads to beatings, torture, murder, and suicide. Military authorities and official documents hide the real problem of ill-treatment in the Russian army with euphemisms such as "non-regulation relations" between servicemen, or characterize it as a practice of abuse of young soldiers by old soldiers. In fact, not only soldiers but also officers of the armed forces continue to permit, encourage and often participate in the ill-treatment.

### **ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS BY CHECHEN ARMED GROUPS**

There have been reports of violations of international humanitarian law by

Chechen armed groups, primarily by Russian official sources, but there are serious difficulties in investigating them, including the lack of independent information and witness accounts of such incidents. In one instance, the Russian Ministry of Defense claimed that Chechen civilians have been killed by Chechen armed groups for refusing to allow them into their village. There have also been reports that Chechen armed groups have prevented people from leaving Chechnya, and that they are using civilians as "human shields" and are making them dig fortifications. It was reported that on November 28, 1999 unarmed Chechen civilians in the village of Gekhi came under direct fire by Chechen fighters and at least five people were wounded in the attack. Reportedly, in the weeks prior to this incident the Chechen fighters had frequently entered the village in order to fire on the nearby Russian forces' positions and then immediately withdraw.

### **CONCLUSION**

Torture and ill-treatment are a huge problem in Russia, but the escalating rate and severity of torture in the context of filtration camps related to the armed conflict in Chechnya is highly alarming.

Many policymakers may be hoping that the Chechen conflict will blow over and the US government can establish a productive relationship with Russian President Vladimir Putin. But although the main fighting may be over, the torture problem will not go away, and in fact may increase. As the war moves to a more low-intensity conflict, the Russian forces will be challenged tactically how to respond. After a small attack by a Chechen armed group, Russian forces will continue to travel to the closest village and round up innocent victims to torture them to force them to reveal information about the identity, location, and weapons of the fighters or to confess to the attack.

President Putin and the Russian Government have not shown a willingness to punish torture and abuses by the Russian army. According to Amnesty's knowledge, not a single person was convicted for violations in the first Chechen War or has been convicted for the current war. Russia wants engagement with the West and financial investment.

The United States Government and the international community must demand human rights changes as the price of respectability and full participation in international institutions. US officials, particularly the Department of Defense, should raise the issue of torture with the Russian military in the context of professionalism, command and control and demand change.

Under the current situation of torture in Chechnya—anyone could be picked up by the Russian security forces and tortured. Anyone could be a victim. This is a clarion call—the horrendous torture problem will not go away and may get worse.

## RECOMMENDATIONS

### **To the Russian Government:**

- Immediately release the names of all detained and the locations of all “filtration camps.” Grant current detainees access to relatives, medical care and lawyers.
- End the unofficial practice of accepting bribes to release detainees.
- Ensure full and appropriate access to all detainees by the International Committee of the Red Cross, international monitors and journalists in Chechnya, including access to “filtration camps.” Provide security guarantees and access to humanitarian aid groups in Chechnya.
- Implement the resolution from the April session of the United Nations Commission on Human Rights for establishing a national, broad-based and independent commission of inquiry with the capacity for a thorough and impartial investigation. Submit a report promptly to the member states of the United Nations Commission on Human Rights.
- Investigate all reports of arbitrary detention, ill-treatment, and torture and prosecute those who have committed crimes. Bring individuals responsible for those violations to justice and award reparations to those who have been unlawfully detained.
- Invite the United Nations Special Rapporteur on Torture, the Special Rapporteur on extrajudicial, summary, or arbitrary executions, the Special Rapporteur on violence against Women, the Special Representative of the Secretary-General on internally displaced persons and the Special Representative of the Secretary-General for children and armed conflict.
- Stop the campaign of intimidation against ethnic Chechens and other people from the Caucasus who reside in Moscow and other parts of the Russian Federation.
- Enforce the 1998 Russian Federation Constitutional Court's decision that the use of residence permits and resident registration system is illegal.
- Establish an effective system of independent inspection of all places of detention.
- Improve conditions in pre-trial detention, including limiting the period of detention pending trial. Make effective use of the system of release on bail.

### **To the U. S. Government:**

- Raise the issue of torture at senior levels, including from the CSCE Commissioner from the Department of Defense with his Russian military counterparts, as a breach of the professional conduct of the Russian armed forces and a violation of international and Russian law.

- Urge the Russian Government to implement the resolution from the United Nations Commission on Human Rights, including:
- Give Russia a deadline to submit a report on its commission of inquiry to investigate violations of humanitarian law and human rights and to bring those responsible to justice.
- Urge Russia to invite the United Nations thematic rapporteurs (see recommendations to Russia).
- Collect information in the State Department's Office on War Crimes on violations of human rights and humanitarian law in Chechnya.
- Send monitors to the Caucasus to visit "filtration camps," and collect information on human rights violations and humanitarian needs.
- Support the re-establishment of the office of the OSCE Assistance Group in Chechnya.
- Ensure a vigorous implementation of the Leahy Laws to ensure that no funding from the Foreign Operations Appropriations Act flows to any security unit that has committed gross human rights violations until the perpetrators are brought to justice. The State Department needs to devote sufficient resources to tracking human rights violations by security units. All law enforcement officials, lawyers and judges who are selected for US training should be screened to ensure they have not committed human rights violations. Further, vigorously implement the Department of Defense version of the Leahy Laws to ensure that no Russian security units that have committed human rights violations can participate in American military training or joint exercises.



## APPENDIX I—LIST OF KNOWN LOCATIONS OF SECRET “FILTRATION CAMPS”

- The pre-trial detention center (SIZO) known as the “White Swan”, (Beliy Lebed) in the city of Pyatigorsk, in Stavropol Territory; on the premises of a former school in the town of Urus-Martan (the so-called “Internat”);
- a makeshift detention facility in the village of Znamenskoye, allegedly located in the basement of a building situated behind the local government building;
- at the Russian army checkpoint in the Chechen village of Tolstoy—Yurt—it is apparently a pit dug in the ground;
- a fruit warehouse in Tolstoy—Yurt;
- in the village of Gorogorsk, on the premises of a former oil factory (known as “NGDU”);
- in the village of Kadi—Yurt;
- in a poultry processing plant in the Chechen village of Chiri—Yurt;
- in the basement of the “Chekhkar” café in Chiri—Yurt;
- in the town of Mozdok in Stavropol Territory
- in the town of Grigorievsk in Stavropol Territory;
- and in the Chechen capital, Grozny, including two detention facilities in the Leninsky district of Grozny, in the buildings of the car factory there (in buildings “PAP—1” and “PAP—5”);
- in the village of Chernokozovo, now reportedly under the jurisdiction of the Russian Ministry of Justice.
- four train carriages parked in the Chechen village of Stanitsa Chervlyonnaya

## APPENDIX II—INDIVIDUALS THOUGHT TO BE IN DETENTION IN SECRET “FILTRATION CAMPS”, OR THOUGHT TO HAVE DIED IN DETENTION

- Adam Abubakarov, 16, thought to be held in detention in the camp known as the “Internat” in Urus-Martan
- Visita Vakhidovich Arsanukayev, 29; Vakha Alievich Titayev, 39; Maerbek Didayev, 42; and Valid Aliyevich Arsamerzoyev, 40
- Abubakar Ismailov; Samrudy Djabrailov; Aslanbek Zelimkhanovich Djankhutov; and Mussa Goitaev)
- 63 individuals listed in Appendix III, including Idrisov Movladi who reportedly was killed in detention

---

\*A note about the names:

In March, Amnesty International’s field researcher obtained three separate lists containing the names of 63 of the 300 or so people believed to have been transferred by the Russian authorities from Chernokozovo “filtration camp” to other detention facilities prior to the official visit to Chernokozovo by the Council of Europe’s Committee for the Prevention of Torture (CPT) in February. The lists include the names of detainees believed to be held in detention in the Chechen village of Kadi-Yurt, as well as of detainees who were allegedly transferred to the prison hospital at the re-trial detention centre (SIZO) in the town of Pyatigorsk in Russia’s Stavropol Territory. One detainee named in the lists, Movladi Idrisov, reportedly died in detention after being transferred to the Pyatigorsk prison hospital. There are spelling variations and mistakes when comparing the names in the material obtained by AI, due to the different alphabets used, different people who have written them down, and also the difficult conditions in which the lists were compiled. The names and dates of birth given above are as accurate as possible. Amnesty International has received no further information on the whereabouts or state of health of these individuals since March.

- 14-year-old girl (name not known), though to have died in Chernokovo, as a result of being raped and tortured by guards
- "Sultan" (not his real name), 25-year-old Chechen man, who died on 16 March from injuries sustained as a direct result of beatings

**APPENDIX III—NAMES OF DETAINEES TRANSFERRED FROM  
CHERNOKOZOVO "FILTRATION CAMP" TO OTHER SECRET "FILTRATION  
CAMPS" IN FEBRUARY 2000\***

**Names of Detainees Believed to have Transferred to A Detention Facility in the  
Chechen Village of Kadi-yurt:**

- |                               |                                      |
|-------------------------------|--------------------------------------|
| 1. Bakayanov Ramzan—born 1979 | 17. Aliyev Emal—1976                 |
| 2. Zarbarayev Vadadi—1951     | 18. Kurameyev Rustam—1977            |
| 3. Yandarov Kureish—1961      | 19. Kitev Mansur—1977                |
| 4. Edisultanov Usman—1978     | 20. Asayev Delimkhan—1970            |
| 5. Barzayev Arsan—1977        | 21. Dadayev Makharbek—1957 (or 1951) |
| 6. Khamzayev Ibragim—1977     | 22. Saiyev Edik—1963                 |
| 7. Bisultanov Vakha—1977      | 23. Rasayev Savarbek—1971            |
| 8. Ibashev Ramzan—1976        | 24. Baytayev Arbi —1982              |
| 9. Kazayev "Musa" —1977       | 25. Gumichayev Dokka —1979           |
| 10. Vitrigov Said-Ramat—1956  | 26. Bisultanov Rasul                 |
| 11. Samalbayev Sabir —1979    | 27. Aleroyev Aslanbek —1961          |
| 12. Imayev Rasul —1979        | 28. Matiyev Ramzan                   |
| 13. Akayev Magomed —1975      | 29. Sadayev Aslanbek —1971           |
| 14. Aliyev Buta —1976         | 30. Ibakhiyev Ramzan —1976           |
| 15. Aliyev Badrudi —1975      | 31. Titiyev Mukhtar                  |
| 16. Vadayev Islam —1983       |                                      |

**Names of Detainees (Women Marked with an 'F') Believed to have been  
Transferred to the Prison Hospital at the Pre-trial Detention Centre (Sizo)  
in Pyatigorsk:**

- |                            |                              |
|----------------------------|------------------------------|
| 32. Azizov Magomed—1981    | 48. Yakhayev Bislan —1974    |
| 33. Baskhanov Elbek—1976   | 49. Aliyev Said Magomed—1981 |
| 34. Tsedayev Bashir        | 50. Gubayev Bisman—1984      |
| 35. Baymaskhanov Alik      | 51. Kusuyev Umar             |
| 36. Shakhmirzayev Lyomi    | 52. Kasanov Zelimkhan —1970  |
| 37. Musitova Zareta f      | 53. Teriyev Alikhan —1979    |
| 38. Labazanova Raisa f     | 54. Khasuyev Artur —1983     |
| 39. Magomadova Laila f     | 55. Isayev Usman—1977        |
| 40. Makhmadova Aset f      | 56. Kesimigov Uvais —1977    |
| 41. Salaudanova Vazilya f  | 57. Satayev Dezirbek —1979   |
| 42. Sushmanov Khasan       | 58. Idrisov Movladi—killed   |
| 43. Kediyeu Yusup—1979     | 59. Garavlikov Vlad—1948     |
| 44. Batsaligov Anzor       | 60. Atazov Khamid—1975       |
| 45. Suleymanov Khusein     | 61. Gekayev Lechi—1978       |
| 46. Asantayev Daibek —1978 | 62. Gekayev Arbi —1978       |
| 47. Ilyasov Ruslan —1963   | 63. Bakayev Rashid—1978      |

This is a U.S. Government publication produced by the  
**Commission on Security and Cooperation in Europe**  
**(CSCE).**

★ ★ ★

This publication is intended to inform interested individuals  
and organizations about developments within and among the  
participating States of the Organization for Security and  
Cooperation in Europe (OSCE).

★ ★ ★

All CSCE publications may be freely reproduced, with  
appropriate credit, in any form. The CSCE encourages the widest  
possible dissemination of its publications.

★ ★ ★

*Visit our site on the World Wide Web at*

**<http://www.csce.gov>**

The Commission's web site, <http://www.csce.gov>, provides  
instant access to the agency's latest press releases and reports  
on recent hearings and briefings in addition to an electronic  
subscription service. Using the Commission's subscription page,  
readers with e-mail may choose to receive press releases, notices,  
reports and other documents on issues in which they are most  
interested. Please subscribe today.