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Chechens in Fear After Memorial's Departure

By Paul Goble

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About this blog

Window on Eurasia covers current events in Russia and the nations of the former Soviet Union, with a focus on issues of ethnicity and religion. The issues covered are often not those written about on the front pages of newspapers. Instead, the articles in the Windows series focus on those issues that either have not been much discussed or provide an approach to stories that have been. Frequent topics include civil rights, radicalism, Russian Islam, the Russian Orthodox Church, and events in the North Caucasus, among others.

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Many Chechens fear that the decision of the Memorial Legal Defense Center last week to suspend its operations in their republic in the wake of human rights activist Natalya Estemirova's murder will "untie" the hands of the force structures there and lead to even more repression.

Their fears are compounded by the Duma's consideration of a measure that, while promising to provide compensation to victims of violence at the hands of the government, could have the effect of making it more difficult for Chechens and other victims to appeal to the European Court of Human Rights, a venue that has been their court of last resort in many cases.

The leadership of the Memorial Center announced last Friday that it was suspending

operations in Chechnya both as a protest against the murder of Estemirova and because the powers that be in that North Caucasus republic could not guarantee the security of its representatives there.

Some Chechens said they believed Memorial had no other choice. "It is natural," one told Kavkaz-uzel.ru, that "they had to react in some way to what happened" in the hopes of putting pressure on officials to take action and in order to call attention to the disingenuousness of statements by Russian and Chechen leaders that Chechnya is "peaceful."

But other Chechens suggested that Memorial should be thinking "not only about the death of its colleague or how this will influence the leadership of the Chechnya, but also about how the populace of the republic and especially ordinary citizens who have sought its support and defense will react to this decision," Kavkaz-uzel.ru reported.

One resident declared that "this decision is not ideal," because "our local parliamentarians, bureaucrats, and 'rights activists' from Chechen ombudsman Nudzhiyev on down are seeking to exculpate in the first instance Ramzan Kadyrov" not because they are "upset" by this "bestial" crime but because "anyone might think" Kadyrov ordered it.

(Ombudsman Nurdi Nukhazhiyev, in an action that many will see as evidence of such attitudes and fears, said, "one could only regret Memorial's decision," even though he insisted that "the defenders of human rights of the Chechen Republic with Memorial or without it will occupy themselves with the defense of the rights of citizens.")

What are ordinary Chechens to do, the resident continued, now that the Memorial offices have been "temporarily" closed? "What is to become of the tens and hundreds of those who had turned to Memorial as one of the few organizations that really tried to help people and whom the murdered Natasha Estemirova in fact helped?"

In the opinion of that Chechen, Memorial's closure will only "further untie the hands of the siloviki who in recent times even without this have sharply increased their punitive and repressive actions." Thus, she fears, by its action, "Memorial has in fact thrown the population of Chechnya to the arbitrariness of fate."

But the murder of Estemirova and the temporary suspension of Memorial's operations in Grozny were not the only setbacks the Chechens and other North Caucasians experienced last week. In Moscow, the Duma took up a law about the compensation of victims of counter-terrorist operations that will only add to their victimization and isolation.

The adoption of the law could lead to a halt in the acceptance of cases from Chechens by the European Court of Human Rights in Strasbourg, said Georgy Matyushkin, the Russian Federation's representative at the court, last Monday. (www.newsru.com/russia/13jul2009/stras.html). The court has been the venue of last resort for many Chechens.

Moscow officials have been angered by the court, which has accepted more cases about

the violation of human rights from Russia than from any other country, and have long sought a way to prevent the court from hearing them and giving government authorities, who lose almost every such case, a public relations black eye every few months.

The current legal effort is based on a similar law that Turkey adopted in 2004. By creating a national program of compensation, that country has been able to reduce the number of appeals that the European Court has taken up. And now the Russian government clearly hopes for the same outcome.

But Russia may not succeed, some commentators say, because the Court's own declarations suggest that Moscow will not meet a key test Strasbourg has set for not taking a case &mdash the supplying of official documentation about the deaths or injuries that lie behind the suit. Moscow has not done this in the past, and the draft bill would not change that.

Memorial's decision to suspend operations in Chechnya and Moscow's efforts to short-circuit the appeals process to the European Court represent a serious challenge to those in the West who want to see the government of the Russian Federation move toward becoming a law-based state.

In the absence of information supplied by groups like Memorial and the Strasbourg court, information that Chechen and Russian officials are doing what they can to block, many in the West and especially in Western governments that want "good relations" with Moscow will be inclined to assume that the situation is getting better when in fact it is getting worse.

Such false conclusions could reinforce a disturbing trend on the part of some governments in the West not to press Moscow on human rights issues lest raising such concerns get in the way of cooperation. The Chechens and other North Caucasians, of course, will be the first victims of such a policy. Tragically, they will not be the last.

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