

Russian Federation

Update Briefing: What progress has been made since May 2006 to tackle violent racism?

Introduction

In May 2006 Amnesty International published the report *Russian Federation: Violent racism out of control* (AI Index: 46/022/2006). The report detailed the alarming regularity of racist attacks and killings of foreigners and ethnic minorities, and the disturbing recent apparent increase in their number. Amnesty International's research showed that not only did the state fail to protect ethnic minorities and foreign nationals from attack, and to investigate and prosecute the vast majority of such attacks effectively, but that such attacks took place in the context of police discrimination against foreigners and ethnic minorities, and the broader racism, xenophobia and intolerance prevalent in Russian society. While the Russian Criminal Code allows for any crime to be prosecuted with an aggravating circumstance of racial hatred, Amnesty International's research highlighted that there seemed to be only a tiny number of prosecutions which included racial hatred or enmity as a motivating factor.

While there has been an increase in prosecutions recognizing racial hatred, and some local initiatives have improved police response, the authorities are still not doing enough to convincingly challenge racist and xenophobic ideas and ideologies, let alone implement a strong programme to combat them. This update details some of the most recent developments and reiterates Amnesty International's key recommendations for the Russian authorities in relation to racist attacks.

Situation update

In 2006 and 2007 violent racist attacks have continued to occur in Russia with alarming regularity, mostly concentrated in big cities such as Moscow, St Petersburg and Nizhnii Novgorod, where the majority of foreigners and ethnic minorities live. Exact figures for numbers of attacks and racist incidents are hard to verify. However, the SOVA Information and Analytical Centre, a Russian non-governmental organization (NGO) that monitors racist violence, mainly through media reports, announced on 1 October 2007 that "in the period of January 1 to September 30, 2007 in Russia, there were no less than 230 racially motivated attacks affecting a total of 409 people, including 46 fatalities. Last year in the same period, there were 180 attacks with 401 victims, 41 of them dying as a result."¹ SOVA is very concerned that racist violence is growing dramatically.

These figures are consistent with reports from other NGOs. In early August 2007 the Moscow Bureau for Human Rights (MBHR) published a report in which it stated that in the first six months of 2007 there had been more than 120 xenophobic incidents and attacks, resulting in 35 deaths. The MBHR said that this represented almost double the number of

¹ Press release by SOVA, 1 October 2007, www.sova-center.ru

attacks for the corresponding months of 2006.² While these figures provide useful information about the current situation, the real level of such violence remains hidden, due to chronic underreporting.

One much publicized incident in the past year was the apparent deliberate targeting of the Moscow Cherkizovskii market with a homemade bomb on 21 August 2006.³ According to media reports, the market was mainly staffed by workers of far eastern origin. Thirteen people were reportedly killed (including Chinese, Vietnamese, Uzbekistani, Tajik and Russian nationals), and at least 40 wounded. The media reported in August 2007 that the investigation into the incident was complete, five men have been charged, and that the defence lawyers were now studying the material.⁴

It is important to highlight that while attacks against foreign nationals from the “far abroad” (Africa, Asia, the Middle East, the Americas) represent a serious problem, there has been an alarming rise in attacks against those of non-Slav origin, or those who do not look “typically” Russian, from countries like Armenia, Azerbaijan, Uzbekistan, Tajikistan and Georgia, and from constituent parts of the Russian Federation – such as the republics of Chechnya, Ingushetia, Tatarstan and Dagestan. Anti-Semitic attacks and desecration of Jewish cemeteries have also been reported⁵. Disaggregated statistics are hard to find, but the SOVA Centre’s data suggests that there has been a significant rise in the numbers of people from Central Asia and the Caucasus who have been killed: in the first five months of 2007 alone, 14 people from Central Asia and nine people from the Caucasus were killed, compared to 11 and 15 respectively for the whole of 2006.

Occasionally, tensions have risen between local ethnic Russian and non-Russian residents following disturbances marked by racist and xenophobic undertones, as exemplified in Kondopoga in August 2006, when hundreds of ethnic Chechens and others of Caucasian origin had to flee the town after a fight in an Azeri restaurant prompted a riot; in Stavropol in May to early June 2007, when a series of fights involving 300-400 ethnic Russian and Chechens left one Chechen and two Russians dead; and in Moscow in June 2007, when, according to reports, an anti-immigrant group attacked people of Caucasian origin in central Moscow, resulting in the stabbing of an ethnic Armenian.

In August 2007, a video was posted on the internet allegedly showing the murder of a Tajik man and a Dagestani man by a group calling itself the National Socialist Party of Russia. Amnesty International is monitoring the investigations into this case.

According to Russian anti-racism activists, the rhetoric of xenophobic organizations is increasingly being adopted and manipulated by politicians and officials. Political tensions

² *Novye Izvestiia*, 2 August 2007

³ <http://www.newsru.com/russia/21aug2006/blast.html> ; <http://www.lenta.ru/news/2006/08/22/blast/>

⁴ <http://new.5ballov.ru/news/newsline/2007/08/07/57920> 7 August 2007

⁵ <http://www.rusk.ru/newsdata.php?idar=171458> 14 May 2007;
<http://www.jewish.ru/news/cis/2007/10/news994254451.php> 11 October 2007

between Russia and Georgia resulted in an unprecedented discriminatory campaign waged by the authorities against Georgian nationals in October and November in 2006, which included detentions, deportations, harassment and even deaths.⁶ After relations worsened between Russia and Georgia in September and October, hundreds of Georgian nationals were deported for allegedly violating immigration rules or being involved in crime. Individuals were held pending deportation in unsanitary conditions and without water and food. Two Georgian nationals were reported to have died awaiting deportation, allegedly due to the poor conditions and inadequate medical attention. Lawyers and human rights activists reported on several cases of detention and attempted deportation of Georgians who had a legal right to remain in the Russian Federation.

The January 2007 law against foreign workers in Russian markets, presented by President Putin as a way of protecting 'native Russians', has also been perceived by some as legitimizing anti-foreigner sentiment.

What has been the response of the authorities to racist attacks since May 2006, when Amnesty International published its report on this issue? Foreign students have reported to Amnesty International that university authorities in Moscow and St Petersburg have made considerable efforts to improve liaison with students and security on university campuses. But despite some progress that has been evident since Amnesty International released its report, including increased efforts by authorities to recognize the issue of racism, and some indications that the legal provisions against racism are being used more effectively, the official reaction to the problem is still far from adequate, and convictions for racist attacks are few and far between.⁷

Many individuals to whom Amnesty International has spoken relate stories of futile attempts to complain to the police about attacks that they have suffered, which they believe were racially motivated. According to them, the police are reluctant to record those details of the attack that suggest it was racially motivated. It seems that the police and law enforcement authorities are more likely to investigate racially motivated attacks when the attacks have resulted in a killing or serious injury.

⁶ The European Commission Against Racism and Intolerance adopted a statement at its 15 December 2006 plenary meeting in which it expressed 'deep concern' about the apparent targeting of the Georgian ethnic group. The Monitoring Committee of the Council of Europe's Parliamentary Assembly released an Information Note in January 2007, based on two fact-finding missions to Tbilisi and Moscow in November 2006, in which it described the detention conditions of those waiting for deportation from Moscow as "overcrowded...unbearable...inhumane".

⁷ According to an e-mail received by AI from SOVA Centre in October 2007 (also included in a press release issued on 1 October 2007): "Now we have 15 court decisions [acknowledging the race hate motive] in 2007 ... 7 - for homicide, 1 - Heavy trauma, and other 7 - less violent attacks".

Victims of attacks state that the police are simply not interested in recording attacks, or will not process a complaint until they have checked the documents of the complainant.⁸ If they do reluctantly record the attack, they appear to downplay any racist motive, and take very few steps to actively investigate the incident. In some instances, there have even been reports of police standing by, watching, as violent racist attacks occurred, and using racist language themselves.⁹ Despite some improvements, Prosecutors' offices, equally, seem to make uneven efforts to secure convictions for racist attacks – all too often, attacks are classified as “hooliganism” or simply assault.

This attitude has deterred many victims from making complaints. In addition, some fear reprisals from the police. While Amnesty International recognizes some progress in the response of law enforcement officials to the investigation and prosecution of violent racist attacks, the organization calls on the authorities in the Russian Federation to address the remaining serious inadequacies of the response by the police and prosecution authorities to the issue. The authorities at all levels must take seriously the prevention and investigation of racist attacks.

Individual cases

In 2006 and 2007, Amnesty International campaigned on behalf of Lamsar Samba Sell and Khursheda Sultonova, who were both killed in racist attacks in St Petersburg. Amnesty International called for independent, impartial and thorough investigations into the killings, and for the perpetrators to be brought to justice.

Lamsar Samba Sell – update

Lamsar Samba Sell, a 28-year-old student from Senegal, was shot dead in the early morning of 7 April 2006 in St Petersburg. A gunman opened fire on a group of foreign students as they left a weekly gathering of inter-cultural friendship between Russians and foreigners. Lamsar Samba Sell was reported to have been shot in the back. An air rifle was found abandoned nearby emblazoned with a swastika, although it was not thought to be the weapon used to murder the student. A criminal investigation was immediately opened under Article 105 part 2 (murder motivated by racial hatred) and an arrest warrant for a suspect was issued on 11 April 2006.

Subsequently, the St. Petersburg authorities reportedly detained a number of suspects, but the key suspect was reportedly killed during arrest. Eleven individuals were reported to be in detention in connection with the murder in April 2007. The suspects remain in detention.

In April 2007 a rally by 150 students in St Petersburg was held to commemorate the anniversary of his death.

⁸ Based on interviews conducted by Amnesty International delegates, July 2007

⁹ For example, *Centre TV*, a Russian Channel, reported an incident in Nizhnii Novgorod in February 2007 when “skinheads attack[ed] people of Caucasian origin while police [watched]”

Khursheda Sultonova – update

Khursheda Sultonova – a nine-year-old girl of Tajik ethnicity – was living with her family in St Petersburg when she was brutally murdered in a racist attack on 9 February 2004. At around 9pm, Khursheda Sultonova was returning to her home in St Petersburg with her father Yunus Sultonov and her 11-year-old cousin Alabir Sultonov. As the Sultonov family reached the courtyard by their home they were set upon by a gang of youths reportedly carrying knuckledusters, chains, sticks and knives. During the violent assault that ensued, the attackers reportedly shouted racist slogans at the victims, such as "Russia for Russians". Khursheda Sultonova died at the scene of the attack from excessive blood loss – she had been stabbed nine times in the chest, stomach and arms.

On 22 March 2006 a jury passed a verdict of not guilty on the main defendant in relation to murder charges. The main defendant, who was only 14 at the time of the crime, had initially been charged with murder motivated by racial hatred. However, he and six other co-defendants were found guilty of "hooliganism" only. The seven young men were given sentences ranging from 18 months' to five and a half years' imprisonment. An eighth defendant was found not guilty. Many of the details of the court case are not public, as the case was heard in closed session due to the fact that some of the defendants were minors. The racial motivation of the crime was left unrecognized in the convictions. On 10 August 2006, the Russian Federation Supreme Court upheld the verdict of the St. Petersburg City Court.

There have been no new developments in this case since August 2006.

Other examples of alleged racist killings in 2007

Below are some brief details for a few of the 37 people reported in the media to have been killed in racist attacks in 2007:

Karen Abramyan - on 16 April 2007, this Armenian businessman was stabbed 20 times. Three young men were arrested. Before he died in hospital, a police source allegedly stated that Karen Abramyan had said his attackers were shouting racial epithets.¹⁰

Khairullo Sadykov – a Tajik street cleaner was stabbed 35 times on 16 April 2007, in Moscow. The attack was allegedly captured on video. In May 2007 *Vremya Novostei* reported that according to information from a law enforcement source, one of the men arrested for the killing of Karen Abramyan had confessed to the killing of Khairullo Sadykov, and several other murders.¹¹ The investigation is ongoing.

Ahmad Riza Kharrani - the teenage son of an Iranian Embassy translator was stabbed to death in southwest Moscow on 16 September 2007 in what prosecutors said could have been a hate crime. Other motives have not been excluded. A city police spokesman said that Ahmad Riza

¹⁰ <http://www.lenta.ru/news/2007/04/17/dead/>, 17 April 2007;

http://www.hayinfo.ru/page_rev.php?tb_id=1&sub_id=3&id=12404, 18 April 2007

¹¹ <http://www.vremya.ru/2007/90/46/179062.html>, 28 May 2007; *The Moscow Times*, 29 May 2007

Kharrani was discovered by passers-by lying on a pavement near the Akademicheskaya metro station with multiple stab wounds to his torso.¹² According to information available to Amnesty International, investigators say that they have a suspect, but no one has yet been arrested.

Damir Zainullin - a 23-year-old ethnic Tatar was stabbed to death while on his way to work on 1 July 2007. He had graduated from St. Petersburg's Agricultural University the day before the attack, which took place in close proximity to a police station. Prosecutors in St. Petersburg announced that the murder was committed by what they described as an "informal group". The Tatar community in St. Petersburg is reported to be convinced that he was the victim of a racist attack. A lawyer for the family alleges that video from surveillance cameras near the attack showed 17 people assaulting him. A woman has reportedly turned herself in, and has been detained on suspicion of his murder.¹³

Recommendations to the Russian authorities

Amnesty International has made a series of recommendations to the Russian authorities on tackling racism and intolerance in 2003, and again in 2006. Since that time, the vast majority of recommendations, according to the information available to Amnesty International, remain unimplemented and therefore still relevant. Based on the organization's research in 2007, Amnesty International is particularly concerned about the inadequacy of the police response to racist attacks.

The Russian government should immediately:

- Ensure that crimes which are reasonably believed to be racially motivated are classified, effectively and thoroughly investigated and prosecuted as such;
- Monitor and record accurately the incidence of racist attacks across Russia and make this information available to government agencies, NGOs and the wider public; the monitoring should follow a clear methodology of what constitutes a racist attack; and statistics should include attacks on foreign nationals and ethnic minorities where there appears to be no possible motivation other than racial hatred; attacks on ethnic minorities and foreign nationals from former Soviet countries should be included;
- Address deficiencies in the investigation and prosecution of racist attacks, including through the development of clear guidelines and training for police, prosecutors and judges who deal with such cases. The response of the police to victims of racist attacks must encourage people to report abuses, rather than further undermine confidence in the criminal justice system's willingness or ability to protect them.

¹² <http://www.gazeta.ru/social/2007/09/17/2166823.shtml>, 17 September 2007 *The Moscow Times*, 18 September 2007; <http://www.annews.ru/news/detail.php?ID=126302>, 21 September 2007

¹³ http://www.interfax.ru/r/B/0/0.html?id_issue=11789636, 12 July 2007; <http://www.echomsk.spb.ru/content/store/default.asp?shmode=2&ids=438&ida=55471&idt=news>, 13 July 2007; http://www.sptimes.ru/index.php?action_id=100&story_id=22363, 17 July 2007;

Guidelines should be informed by and comply with Russia's international obligations under human rights law. A database of relevant judgments on racist crimes, including both convictions and acquittals, would inform the work of law enforcement agencies in this area;

- End the classification of race-hate crimes as “hooliganism” or motivated by “hooliganism”; ensure that public officials desist from making statements following a violent and apparently racist attack that the attack was carried out by “hooligans”;
- The apparent police indifference to racist incidents must be addressed through training for police, which ensures that officers on the ground respond effectively and appropriately to racist incidents, recording full details of the incident, and giving feedback to those involved in a timely manner;
- Institute a “no tolerance” approach to police officers who stand by while racist attacks take place;
- Put in place a system that ensures complaints of discriminatory behaviour exhibited by the police and other officials are investigated thoroughly, promptly, transparently and independently, and this system must be widely publicized;
- Include human rights education, including the prohibition of racism and xenophobia, as part of compulsory police training;
- Continue to publicly acknowledge the seriousness of the issue of racist violence and the need to take concerted action to address it.