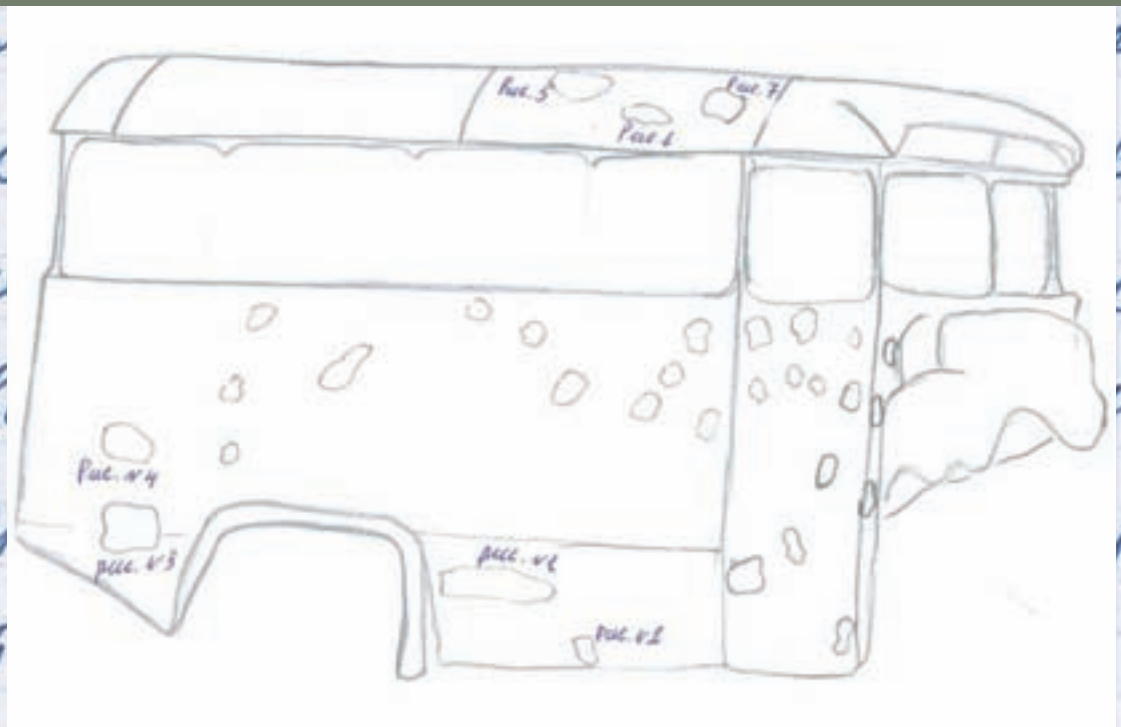
RUSSIAN JUSTICE INITIATIVE
ПРАВОВАЯ ИНИЦИАТИВА
ANNUAL REPORT 2009



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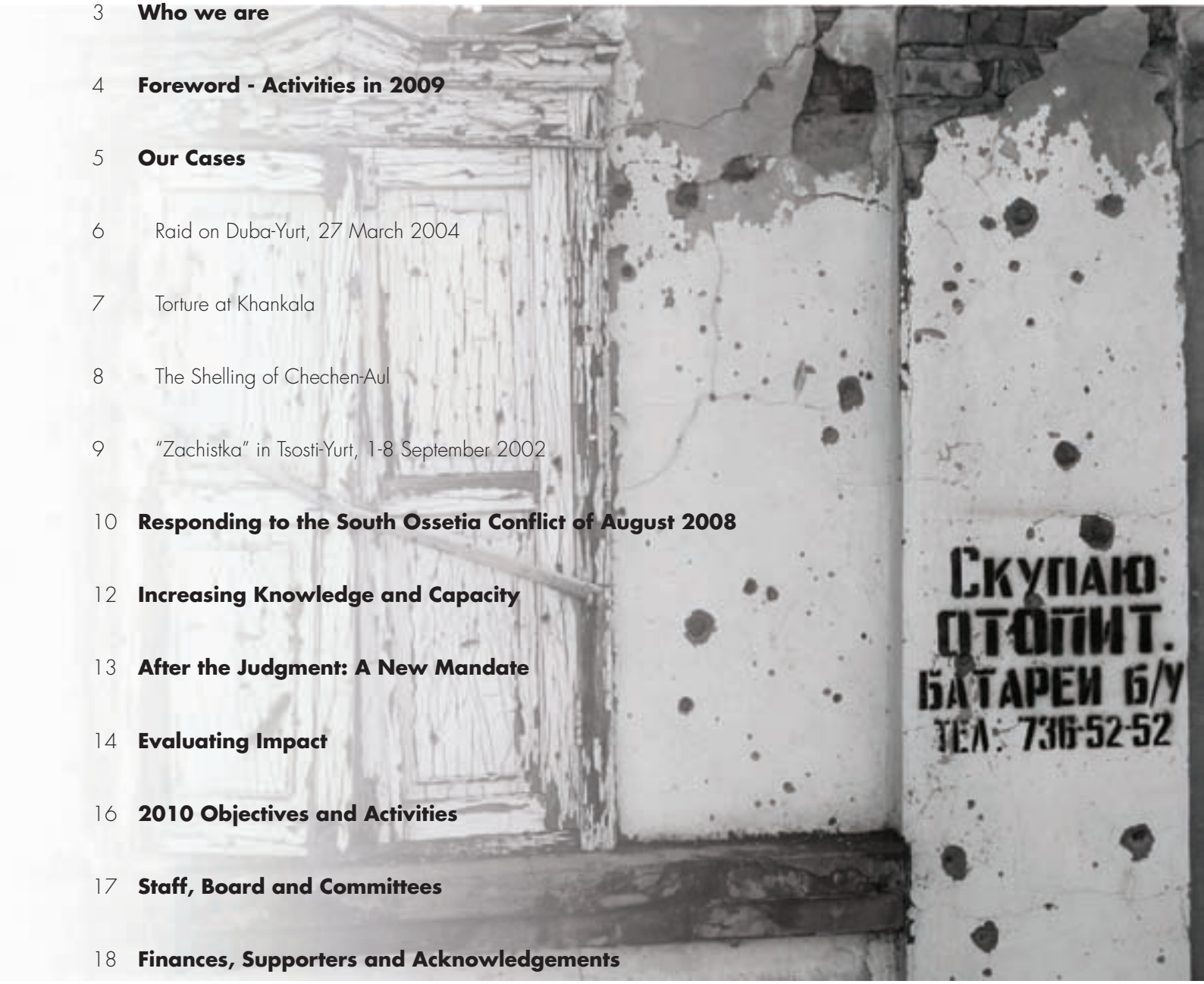


WHO WE ARE

The Russian Justice Initiative is one of the foremost strategic litigation and legal aid organizations in Eastern Europe, and the only organization dedicated to seeking redress for serious human rights violations in the North Caucasus.

Russian Justice Initiative is a Dutch legal aid organization founded in 2001 and based in Moscow which jointly implements strategic litigation with its domestic partner, Pravovaia Initsiativa, based in Nazran, Ingushetia. While RJI initially focused on grave human rights violations stemming exclusively from Chechnya's second armed conflict, it expanded its activities to other republics of the North Caucasus in 2007 as abuses began spreading across the entire North Caucasus region.

OUR GOALS

To combat impunity for grave human rights abuses in the North and South Caucasus.

To increase knowledge of and promote respect for rights guaranteed by the Russian constitution and the European Convention of Human Rights, among professionals and the general public.

"Return Our Sons" is the message of these protestors whose sons have been forcibly disappeared by Russian military forces.

Following the most recent outbreak of violence over the South Ossetia region in August 2008, RJI initiated a partnership with the Georgian Young Lawyers Association in Tbilisi in order to conduct litigation surrounding serious conflict-related human rights violations.

RJI focuses on the gravest abuses that have afflicted Chechnya for decades, and which today continue to occur throughout the North Caucasus: arbitrary detention, torture, enforced disappearance and extra-judicial execution. RJI's lawyers enable victims of such abuses and their family members to seek justice on the international level at the European Court of Human Rights in Strasbourg, France.

Since 2006, the Court has handed down almost 80 positive judgments in the organization's cases. RJI seeks to maximize the implications of these judgments on the domestic level through its work on implementation, as part of its overall aim to combat impunity and build capacity to address human rights abuses in Russia. RJI's work remains as urgent as ever, as by the end of 2009, most of RJI's cases will still end up at the ECtHR and the Russian government will not yet have done enough to halt continuing abuses or address past crimes.

FOREWORD - ACTIVITIES IN 2009

By the end of 2009 the Russian Justice Initiative had won 79 cases at the European Court of Human Rights—almost two-thirds of the Court's entire case-law on the North Caucasus.

RJI's tremendous success in its international litigation testifies to the unwaveringly high quality of the organization's legal work and to the dedication of the Moscow and Ingushetia staff, many of whom were founding members of the project in 2001. The Court awarded the organization's clients over EUR 3 million in moral compensation in 2009.

As the Court throughout 2009 continued to resoundingly condemn Russia for disappearances, extra-judicial killings and torture in Chechnya and Ingushetia, and to criticize ineffective domestic investigations, RJI devoted significant resources and strategic planning time to the implementation stage, preparing comprehensive submissions on individual and general measures for the Committee of Ministers, establishing important contacts at the Council of Europe, providing documentation to our clients on the post-judgment stage, and drawing more international attention to the Court's growing case-law, all of which increases pressure on Russia to implement the judgments in good faith and allows us to better monitor the Government's effort in that regard.

> **"We are very happy with today's judgment. However, for us the most important thing is to find out exactly what happened to our loved-ones. We hope this judgment will help us establish this."**
>
> *Taisa Kanayeva, relative of Said-Selim Kanayev, an applicant in the case Arzu Akhamdova and others v Russia*

The increased attention to the Court's growing case-law has generated interest in the organization's work from the press and from academics, and RJI's senior staff are frequently invited to give lectures and trainings on human rights litigation. We also continue to devote time to developing the capacity of local and independent lawyers to engage in international litigation. Despite the alarming deterioration of human rights and security in the North Caucasus throughout 2009, the organization continued to bring new cases through the domestic legal system to the ECtHR, and intensified its efforts to reach victims in Dagestan.

Following the creation of the South Caucasus Justice Project (SCJP) in September 2008 and a year-long grant from the Open Society Institute in January 2009 to continue litigation in partnership with the Georgian Young Lawyers Association, the SCJP had submitted over 20 applications to the ECtHR from the South Caucasus by the end of 2009. In 2010 the project on the South Caucasus will enter its second year with a focus on continuing conflict-related violations such as ethnic cleansing and serious cases of arbitrary detention.

In 2010 we expect the Court to hand down more positive judgments in cases from the North Caucasus. We hope to make progress on the domestic level re-litigating cases post-ECtHR judgment, and to report on our progress and make recommendations to the Committee of Ministers. We are also hopeful that we may succeed in forging a constructive dialogue with the Russian authorities regarding implementation as we move forward in our efforts to bring about systemic changes in Russian law enforcement practices.

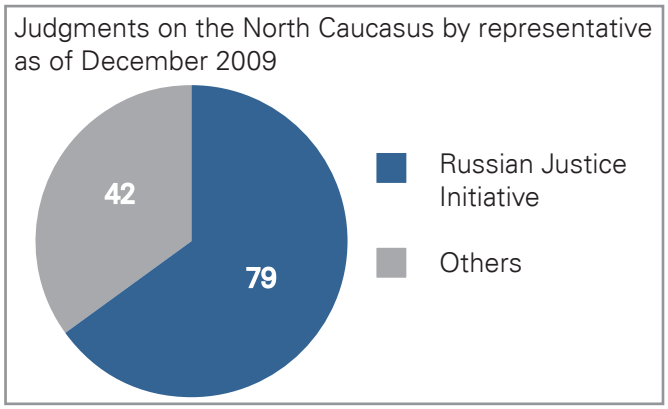
OUR CASES

By providing legal assistance to victims of grave human rights abuses in the North and South Caucasus, we secure legal redress and reparations for victims and set important precedent in domestic and European courts.

In 2009, RJI represented victims of grave human rights abuses and their families from the North and South Caucasus before domestic prosecutorial and law enforcement bodies in Russia and Georgia and before the European Court of Human Rights. By the end of 2009, RJI was representing over 1,250 clients from the North Caucasus and over 220 clients from Georgia and South Ossetia. Approximately 300 cases were pending at the ECtHR by the end of the year from the North Caucasus. In mid-2009, the ECtHR communicated seven cases against Georgia to the Georgian government, two of which have since become part of RJI's caseload from the South Caucasus.

The majority of new cases submitted to the Court in 2009 from the **North Caucasus** concerned enforced disappearances, torture, extra-judicial execution, non-return of bodies and arbitrary detention. Cases submitted during 2009 from the **South Caucasus** focused on some of the severest and most well-documented cases of the August 2008 war, which will lay the groundwork for the establishment of legal precedent concerning the application of the European Convention during armed conflict.

Many cases that reach the ECtHR from the North Caucasus qualify for **expedited review**, which means the admissibility and merits are considered together. Thus our cases are consistently **communicated** at a faster pace to the Government and judgments on the merits are reached more quickly.



Since mid-2006, when the first judgment in one of the organization's cases was handed down, until end 2008, RJI had won 37 cases at the ECtHR. Over the past year alone this number more than doubled as the Court handed down **42 judgments**, bringing the total number of cases won by RJI on the international level to **79**. Several of these judgments are highlighted on the following pages.

In all cases in which the Russian government has **appealed** the Court's judgment, the Court has either declined to review the appeal, or has rejected the appeal. Judgments in our cases therefore become final, as a rule, within three to six months after the judgment. With few exceptions, the Russian government pays all awards within the deadline set by the Court.

In 2009 the Court awarded the organization's clients over EUR 3 million in moral compensation and over EUR 450,000 in material compensation. RJI was awarded approximately EUR 275,000 in legal costs, which it receives directly from the Government and then transfers to the organization's endowment fund.

RJI's website is the most comprehensive resource for information concerning cases from the North Caucasus brought by various representatives to the ECtHR. Summaries of all cases can be accessed at: www.srji.org/en/legal/cases.

Case Progress in 2009	NC	SC: Russia	SC: Georgia	Totals, all years
Submitted	25	21	3	215
Communicated	17	-	2	113
Admissible	2	-		42
Judgments	42	-		79

Raid on Duba-Yurt, 27 March 2004

Bitiyeva and others v Russia
Number: 36156/04, Judgment: 23 April 2009
Main Violation: Disappearance and Extra-judicial Killing

In the early hours of 27 March 2004, Russian servicemen conducted a raid on the village of Duba-Yurt, Chechnya, breaking into several houses and detaining 11 men. Three later returned home, while eight disappeared. On 9 April, the dead bodies of the eight men were discovered in a neighboring village. Many of the bodies bore signs of between fifteen and twenty gunshot wounds, and many were mutilated almost beyond recognition.

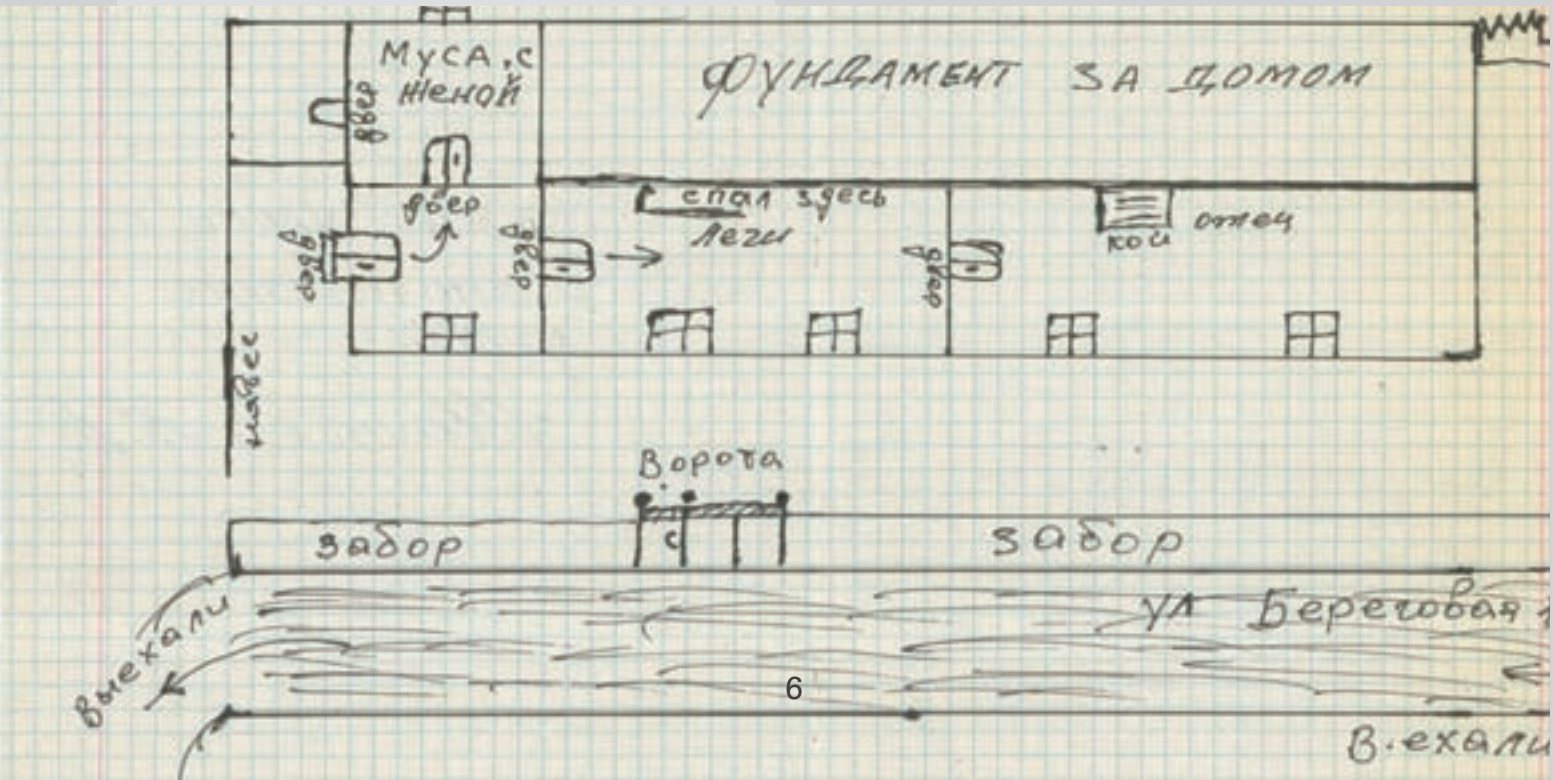
Although the authorities conducted several investigative steps following the discovery of the bodies, many essential measures were carried out with substantial delay, if at all. By the time the applicants applied to the ECtHR, no investigative measures had been carried out in the case for several years.

This case involved 38 applicants, who were awarded a total of 280,000 EUR in moral compensation for violations of their relatives' right to life and liberty and for the lack of an effective domestic remedy to address the violations.

Zemlikhan Osmayev, one of eight disappeared men in the case, with his mother and two daughters, both applicants in the case.

"I carefully examined my brother's clothes at home when we buried him. There was not a single bullet hole in the t-shirt or sweater. Apparently, they did not have clothes on when they tortured and shot them. There were sixteen bullet wounds on my brother's body and three to his head, nineteen in total."

From the written statement of the brother of Lechi Shaipov, one of eight men found killed after their detention in Duba-Yurt in March 2004



A map drawn by one of the applicants depicts the layout of the Shaipov courtyard and house and the direction from which the servicemen approached and departed the premises in their vehicles.

Torture at Khankala

Khadisov and Tsechoyev v. Russia
Number: 21519/02
Judgment: 5 February 2009
Main Violation: Torture

Khadisov and Tsechoyev v. Russia is the first judgment concerning torture at the infamous Khankala military base in Chechnya.

Salambek Khadisov and Islam Tsechoyev had never met each other before when they were detained on 23 September 2001 from different villages in Ingushetia, accused of participation in a joint armed attack against Russian servicemen on 9 September 2001. After severe beatings and suffocation, both men were barely conscious when they were transported to Khankala via helicopter with bags on their heads and their hands tied. At Khankala Salambek and Islam were held in a pit in the ground for five days and were interrogated about supposed connections to rebel fighters. During these interrogations, they were beaten on the soles of their feet and other parts of the body with rifle butts, had their skin burned with cigarette butts, and endured painful stress positions. Shortly before their release they were ordered to sign, under threat of further torture, statements to the fact that neither had been subjected to ill-treatment during detention.

Upon their release on 12 October 2001 Salambek and Islam could hardly walk and their bodies were bloated and covered in hematomas.

Although the identities of the commanders responsible for the detention of both men were known, the domestic investigation produced no tangible results.

The Court found that Russia had violated Articles 3, 5, 13 of the European Convention on account of the arbitrary detention and torture of Salambek and Islam, the inadequacy of the investigation into their allegations of torture and the lack of an effective remedy to address the violations. They were each awarded 35,000 EUR in moral damages.

> **"The Court finds that in the instant case the applicants were indisputably kept in a permanent state of physical pain and anxiety owing to their uncertainty about their fate and to the level of violence to which they were subjected throughout the period of their detention. ...The sequence of events also demonstrates that the pain and suffering were inflicted on them intentionally, in particular with the view of extracting from them a confession to having been connected with paramilitary groups active in Chechnya."**
>
> *Khadisov and Tsechoyev, para. 132*

> **"The Court considers that in the circumstances of the present case where the identities of the detachments and their commanders involved in the detention of the applicants were established by the domestic investigation, the failure to establish their whereabouts during the period in question and to bring charges against those responsible may only be attributed to the negligence of the prosecuting authorities in handling the investigation and their reluctance to pursue it."**
>
> *Khadisov and Tsechoyev, para. 120*

The Shelling of Chechen-Aul

Taysumov v. Russia
Number: 21810/03, Judgment: 14 May 2009
Main Violation: Unlawful killing by unnecessary use of lethal force

On the evening of 7 September 2002 Kazbek Taysumov, Zulpat Eskirkhanova and their elder daughter Ayshat were having dinner in the courtyard of the Taysumovs' house. Kazbek's father and younger daughter were also at home inside the house. Out of nowhere, the house was hit from artillery fire in three directions, lasting twenty minutes. Zulpat was hit in the head and died instantly, while Kazbek and Ayshat died of their wounds on the way to hospital. Three shells had hit the Taysumov house, partially destroying it and the minibus which belonged to the family.

Kazbek's father collected several shell fuses from the scene marked "RMG-2 16-82" and submitted them to the district prosecutor's office along with other evidence of the attack. The district prosecutor determined that only the military was in possession of such weapons and transferred the case to the unit prosecutor, after which the investigation into the incident made no further progress.

Kazbek's parents and his younger daughter appealed to the European Court and were awarded a total of 105,000 EUR in moral damages for violations of their relatives' right to life, the failure of the investigation into those violations and the lack of an effective domestic remedy for the violations.

> **"In particular, despite the abundant evidence of the federal military personnel's involvement in the attack of 7 September 2002 and the killing of the applicants' three relatives, it is clear that by 28 December 2005 no meaningful efforts had been made to establish the identity of the State agents who had given the order to fire artillery shells at the populous village, or of those who had carried out the order."**
>
> *Taysumov and Others, para. 102*

“Zachistka” in Tsosti-Yurt, 1-8 September 2002

Elsiyev and others v Russia
Number: 21816/03
Judgment: 12 March 2009
Main Violation: Disappearance


ОБЪЕДИНЕННАЯ ГАЗЕТА НОВОСТИ

КАК «ЗАЧИЩАЛИ» ЦАЦАН-ЮРТ

31 августа 2002 года в с. Цацан-Юрт Курчалоевского района прошла очередная, 39-я по счету, «зачистка». Вечером село было заблокировано.

On 31 August 2002 Russian military forces surrounded the village of Tsotsi-Yurt in Chechnya, setting up headquarters at the old mill and barn on the outskirts of the village. Over the course of the next week almost 90 people were taken to the mill for questioning and held there for several days.

On 4 September several high-ranking military officials negotiated the release of the majority of the detainees. However, eight men never returned home and were never seen again. Despite the clear evidence as to the involvement of well-known military officers in the incident, the investigation into their disappearance reached no conclusions. The Russian government refused to provide the Court with the domestic investigation file.

Eight relatives of the disappeared men brought the case to the European Court and were awarded a total of 280,000 EUR in moral damages for the disappearances.

“I still have one wish: to look the generals responsible for my son’s disappearance straight in the eyes.”

Khozhbaudi Mandiyev, an applicant in Elsiyev, upon learning of the Court’s judgment

“The applicants visited the old mill house and waited for their relatives’ release. General Studenikin, who was in charge of the security operation in Tsotsi-Yurt, repeatedly promised them that the detainees would be released upon completion of the operation. On 7 September 2002 the security operation in Tsotsi-Yurt was finished. The servicemen did not release the applicants’ relatives. The applicants have not seen Salakh Elsiyev, Iskhadzhi Demelkhanov, Adam Boltiyev, Dzhabrail Debishev, Lom-Ali Abubakarov, Ramzan Mandiyev, Akhmed Demilkhanov and Aslambek Agmerzayev dead or alive ever since.”

From the Court’s statement of facts, Elsiyev and others v Russia, paras. 38-39

RESPONDING TO THE SOUTH OSSET

Amid reports of grave human rights violations committed by both Russia and Georgia during the conflict over South Ossetia in August 2008, RJI decided to expand its activities to the South Caucasus. After an initial fact-finding mission in September 2008, RJI initiated a partnership with the Tbilisi-based Georgian Young Lawyer's Association in order to litigate cases in Georgia, Russia and at the European Court of Human Rights.

By the end of 2009, the South Caucasus Justice Project had a caseload concerning grave human rights violations such as indiscriminate bombings including cluster munitions strikes, extra-judicial killings, ill-treatment of prisoners of war, unlawful detention of civilians, enforced disappearances, property destruction and expulsion of ethnic Georgians.

OUR GOALS IN THE SOUTH CAUCASUS

To contribute to the development of lasting peace in South Ossetia by providing redress for victims of human rights violations committed during the August conflict.

To contribute to the prevention of future violations through strategic litigation, highlighting systemic shortcomings in Georgian and Russian legislation and military practices.

A woman injured during the cluster munition strike on Ruisi points to the place where she and others sought shelter during the attack.

Arbitrary Detention and ill-treatment of civilians

Large numbers of Georgian civilians were arbitrarily detained in various locations in Tskhinvali in August 2008, for example in the basement of School No. 6, shown at right. Many were held in deplorable conditions and subjected to ill-treatment, and some were forced work for the South Ossetian militias under threat of harm. RJI is representing several former detainees and expects the ECtHR to find violations of Art. 5 (arbitrary detention), Art. 3 (freedom from torture) and Art. 4 (freedom from forced labor), among others.

TIA CONFLICT OF AUGUST 2008

Civilian Deaths from cluster bombing

There is ample evidence that Russian forces employed cluster munitions against Georgian cities and towns, such as Ruisi and Gori. RJI aims to obtain rulings from the European Court that the use of cluster munitions will always constitute a violation of the right to life because of the danger clusters pose for civilians.

The map of Ruisi at right shows where the cluster strike hit and where various remnants of cluster munitions were found, like this "Uragan" rocket pictured below. RJI is representing the relatives of Amiran Vardzelashvili, allegedly killed by cluster munitions in Ruisi, before the ECtHR.

In Gori central square, over 30 civilians were killed or wounded by an alleged cluster strike on 12 August 2008. The image at the left comes from footage of the immediate aftermath of the strike as captured by a Dutch film crew present at the scene. Dutch journalist Stan Storimans was killed in the attack. Among the 31 applicants in the case RJI has submitted to the ECtHR are twenty civilians who were injured in the attack and the close relatives of ten civilians who were killed from severe shrapnel wounds caused by the exploding bomblets.

Ethnic cleansing in South Ossetia

RJI is representing ethnic Georgians at the ECtHR whose villages were allegedly pillaged and burnt by Russian forces and South Ossetian militias during the conflict. Incidences of extra-judicial killing also accompanied the destruction. Many of these villagers still live as Internationally Displaced Persons (IDPs) in Georgia and are unable to return to their homes in South Ossetia. In such cases RJI aims to obtain a ruling from the ECtHR on violations of the right to life, the prohibition on torture, the right to family life, the right to peaceful enjoyment of property and the right to freedom of movement.

INCREASING KNOWLEDGE AND CAPACITY

By expanding the foundations necessary for increased engagement in international and domestic human rights litigation, we facilitate the entrenchment of European norms within domestic legal culture.

RJI Legal and Program Director Roemer Lemaître participates in a panel discussion on human rights in the North Caucasus in Stockholm, October 2009.

Our activities expose Russian institutions and legal professionals to human rights jurisprudence in various ways, all of which we believe will strengthen domestic legal remedies for human rights violations. Our domestic legal submissions consistently draw on the Court's case-law, placing it within the Russian legal context. Close supervision by RJI's senior staff over the work of organization's field lawyers allows them to develop the skills and knowledge necessary to make use of European human rights mechanisms.

Although RJI always prioritizes the professional development of its own staff first and foremost, it also actively seeks partnerships with independent lawyers in the North Caucasus, many of whom lack the practical skills required for international litigation.

Finally, in order to increase access to ECtHR case-law in Russian for professionals and the general public alike, RJI maintains a growing database of Court judgments translated into Russian, a task the Government inexplicably refuses to carry out itself. RJI's website is today one of the most comprehensive reference tools for precedent-setting European case-law in Russian translation, as well as for an overview of all pending and decided cases at the Court from the North Caucasus. It also provides practical information on application-writing and contains on-line versions of two of our publications on various stages of ECtHR litigation. More than half of all visitors to our website come from Russia and a significant number of them are directed to our resources section after entering the search terms "how to write an application."

In addition to our previous publication on Defending Your Rights in the Russian Federation, which we continue to distribute among potential applicants, RJI in 2009 developed a new publication, After the Judgment: What Next?, for current and future applicants which contains templates and guidance on how to read and understand the text of an ECtHR judgment, how to request access to domestic criminal case files after winning a case at the Court, and how the implementation process works on the international level.

"Defending Your Rights" provides practical information for victims and their families on the content of their rights and the available legal mechanisms for defending them, as well as concrete instructions on the litigation process.

AFTER THE JUDGMENT: A NEW MANDATE

After a judgment is issued, we undertake a variety of measures aimed at effecting systemic improvements in human rights protection, including ensuring follow-up of judgments on the domestic level.

Even as the Court's case-law on the North Caucasus continues to grow, and Russia continues to pay millions of euros a year in moral damages to victims, many applicants continue to ask the most fundamental questions: "What happened to him?" "Who is responsible?" And perhaps even—"Who is next?"

Although ECtHR judgments do not examine individual criminal responsibility for crimes, the Court's case-law on the North Caucasus serves as a record of the fundamental flaws which plague domestic investigations, which if rectified, still stand a chance of identifying perpetrators and locating the bodies of lost relatives.

RJI Legal Director Roemer Lemaître is interviewed by journalist Stefan Nieminen on the issue of implementation of judgments.

Since the Court's first judgment in one of the organization's cases was issued in mid-2006, RJI has succeeded in drawing international and domestic attention to the Court's treatment of the Chechen conflict, which has become a topic of both political and academic discussion. In 2009, scholarly articles discussing the Court's case-law were published in the Harvard Human Rights Journal, the European Human Rights Law Review, the University of Wisconsin Law Review and the Gottingen Journal of International Law. The Council of Europe's Committee on Legal Affairs and Human Rights has highlighted with increasing urgency the need to properly implement the Court's judgments throughout the year in the context of the deteriorating human rights situation in the North Caucasus.

In 2009 RJI collaborated with Human Rights Watch on their report "Who Will Tell Me What Happened To My Son", which examined Russia's failure to implement a significant number of RJI's cases. The report brought the issue of implementation to the fore among the diplomatic community and the international media.

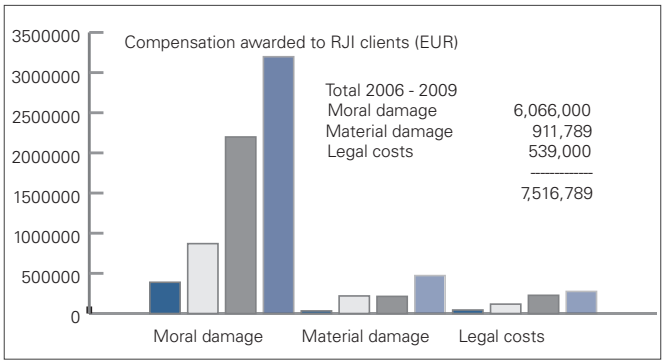
RJI's case work does not end with a judgment. RJI ensures prompt follow-up on cases post-judgment on the domestic level, and reports on case progress to the Committee of Ministers (CoM) of the Council of Europe, the body responsible for the execution of the Court's judgments. In 2009 RJI submitted to the Secretariat of the CoM its comprehensive observations on individual measures in nineteen of its cases, as well as its recommendations for general measures in those cases. The Secretariat actively relies on RJI's submissions in its ensuing dialogue with the Russian government regarding implementation.

RJI collaborated with Human Rights Watch to produce a damning report on Russia's progress concerning implementation, released in September 2009.

EVALUATING IMPACT

Our work is improving opportunities for redress for victims and their families, as we continue our long-term investment in the pursuit of justice as a means to lasting change in the domestic legal process.

After the Judgment: Beyond Compensation



Each European Court judgment finding Russia responsible for a grave human rights violation in the North Caucasus is a turning point for the individual applicant, as it provides official recognition that their rights or the rights of their close relatives were violated by their government—a crucial acknowledgment in a long search for justice. In addition, many families who bring cases to the ECtHR have lost their primary breadwinner. The financial compensation they receive from the Court in the form of moral damages thus also provides essential practical support.

For many applicants, however, a judgment from the ECtHR provides further incentive to find out the whole truth behind their case—to establish where their relatives were detained, where they might be buried, who was responsible for acts of torture, disappearance or unlawful killing.

RJI aims to support those applicants who wish to continue to pursue their cases post-judgment on the domestic level both through continued litigation and through engagement with the political and diplomatic community, which can provide the political leverage needed to implement the Court's case-law in good faith.

Over 300 separate violations in 2009

In the vast majority of judgments in our cases in 2009 the Court continued to find in unanimity substantive violations of the right to life and the prohibition on torture.

Where possible, the Court found the Russian Government's non-cooperation with regard to its submission of domestic case files to amount to a violation of Article 38 of the Convention. Otherwise, the Court persistently drew inferences from the Government's failure to submit the domestic case materials, and found in every case that the investigation into the alleged violations was ineffective.

"For the purpose of organizing appropriate supervision of procedural activity of investigation bodies… and to avoid repeats of the aforementioned European Court judgments, special attention should be paid when checking the lawfulness of actions and decisions of the investigation to questions of respect for the constitutional rights of citizens at the pre-trial stage of criminal proceedings…"

Deputy Prosecutor General of the Russian Federation, Circular Letter "On the necessity of stepping up supervision of investigation in the light of the entry into force of the judgments of the European Court of Human Rights," May 2009

The Court also continued to draw particular attention to the inaction of local authorities in the face of clear evidence indicating the responsibility of federal forces in serious violations. Several cases concerning disappearances and extra-judicial killings contained clear indicators as to the likely identity of the perpetrators, who were never been apprehended. The Court's case-law thus continues to expand as a valuable resource on the circumstances of specific crimes, providing rich material and motivation for potential prosecutions.

The Push for Reform

We believe that various aspects of our work have prompted certain improvements in the work of domestic law enforcement and judicial organs. Courts are more willing to find investigating prosecutors negligent and to grant access to case files. There are also signs that human rights norms have begun to take root in the region, at least in principle. For example, in handing down a decision on the unlawfulness of the refusal to open a criminal investigation into our client's allegations of torture, a district court in Karachayevo-Cherkessia also referred at length to several articles of the European Convention. In another case, the Grozny district court held that our client had wrongfully been denied access to the criminal case file under the standards set out in the Russian Constitution.

RJI Executive Director Vanessa Kogan participates in a conference in Utrecht of NGOs working on enforced disappearances worldwide to develop legal assessment tools for better human rights protection.

Several recent institutional reforms signal a step in the right direction. In May 2009 the General Prosecutor's Office issued a circular letter that addressed the need to observe victim's rights during the pre-trial investigation stage in light of ECtHR judgments. The Ministry of Justice also unveiled a project for a new law on compensation for victims of anti-terror operations and armed conflict at the end of 2009. Reforms such as the setting up of the "Second Department for Very Serious Cases" in the Investigative Committee of the Chechen Republic, as well as changing the division of labor within prosecutorial structures with a view to handling the adoption of appropriate individual measures have the potential to vastly improve the effectiveness of domestic investigations.

"...The possibility of application to the ECtHR has inarguably provided a voice and justice... to Russian citizens who would otherwise have been afforded neither. There are also tentative indications that Russia has been prompted to implement some military and administrative reforms in response to the Court's jurisprudence—in the form of revisions to manuals of military practice, new requirements for record keeping and registration of detentions, and guidelines for the investigation and prosecution of unlawful killing and enforced disappearance cases."

Joseph Barrett in "Chechnya's Last Hope? Enforced Disappearances and the European Court of Human Rights," published in Harvard Human Rights Journal, Vol. 22 No. 1 (2009).

2010 OBJECTIVES AND ACTIVITIES

North Caucasus

"Children Beware of Mines!" proclaims this warning in Goiskoye, Chechnya.

In 2010 we will continue in earnest to fulfill the two most fundamental aspects of our mandate: to seek redress for grave human rights violations in the North Caucasus and to maximize the impact of the Court's case-law to bring about lasting changes in the domestic legal system.

As we move forward with ongoing litigation, we will be representing almost 1300 applicants in nearly 250 cases. We expect that we will spend a significant amount of time on the advanced stages of litigation but we will also intensify our efforts to reach our target group in Chechnya and Dagestan.

As we push for effective implementation, we will continue to devote resources to developing strategies for re-litigating cases post-judgment and will report on our progress to the Committee of Ministers, and will seek supporters within civil society as well as the diplomatic and political community.

Our long-term goals of ending impunity in the North Caucasus and strengthening domestic human rights protection commit us to continue to build local professional capacity, facilitate effective domestic investigations, ensure follow-up to ECtHR judgments, and continue to strategically utilize European human rights mechanisms.

South Caucasus

There is still an acute need to continue strategic litigation against both Russia and Georgia connected to the August 2008 conflict, as the past year has shown that purported political and diplomatic solutions have not significantly improved conditions for the civilian population most affected by the conflict, which remains in a position of extreme vulnerability.

Detention center in Tskhinvali, South Ossetia.

In 2010 the South Caucasus Justice Project will enter its second year of operation with a focus on claims related to ethnic cleansing and serious incidences of arbitrary detention in Georgia and South Ossetia. We believe that international litigation will provide an opportunity for redress for the thousands of IDPs who are still unable to return to their homes, as well as discourage resort by both sides to extra-legal practices such as prisoner exchanges and retaliatory detentions.

In order to bring about our goals to provide legal redress to victims of the conflict and to prevent further violations, we will increase knowledge of international human rights mechanisms, facilitate exchange of expertise among Georgian and Russian human rights professionals, and aim to set precedent at the ECtHR concerning the application of the Convention during armed conflict.

STAFF, BOARD AND COMMITTEES

Staff

Pravovaia Initsiativa (Ingushetia)

Arsen Sakalov, Director

Tanzila Arsamakova, Legal Assistant

Dokka Itslaev, Staff Lawyer (part-time)

Magomed Barakhoev, Staff Lawyer (part-time)

Stichting Russian Justice Initiative (Moscow)

Vanessa Kogan, Executive Director

Roemer Lemaître, Legal and Program Director

Andrea Algard, Legal Officer and Grants Manager

Elena Ezhova, Moscow Office Director (on leave)

Olga Ezhova, Office Manager/ Legal Assistant

Andrey Nikolaev, Senior Lawyer

Maria Suchkova/Daria Boyarchuk, Staff Lawyer

Grigor Avetisyan, Staff Lawyer for Implementation

Ludmila Polshikova/Kseniya Brailovskaya, Legal Assistant

Varvara Pakhomenko, Consultant on South Ossetia (part-time)

South Caucasus Justice Project, Tbilisi

Nino Khaindrava, Project Lawyer

Tamta Mikeladze, Legal Assistant

Committee of Recommendation

The committee of recommendation consists of individuals from around Europe who have made significant contributions in the field of human rights. This committee, which demonstrates the support enjoyed by the Russian Justice Initiative in the international community, has no governing or advisory responsibilities in the organization. Rather, the committee recommends the Russian Justice Initiative by virtue of its members' high standing as internationally recognized human rights activists, journalists, policymakers, and others in positions of moral authority.

Lyudmila Alekseeva, President, Moscow Helsinki Group

Rainer Eppelmann, Member, German Bundestag (CDU/CSU)

André Glucksman, Philosopher

Erik Jurgens, Vice-president, Senate of the Dutch Parliament, and Member, Parliamentary Assembly of the Council of Europe

Nataša Kandic, Humanitarian Law Center, Belgrade

Markus Meckel, Member, German Bundestag (SDP)

Nathalie Nougayrede, Le Monde

Lord Russell-Johnston, Member, Parliamentary Assembly of the Council of Europe (formerly President)

Governing Board

The Governing Board is charged with the overall direction and governance of the Russian Justice Initiative. Members of the board lend professional expertise to the organization, assist in fundraising endeavours, and act as a public face for the organization.

Chair: Egbert G.Ch. Wesselink, Pax Christi Netherlands

Treasurer: Ole Solvang, Human Rights Watch

Members: Aage Borchgrevink, Norwegian Helsinki Committee, Jane Buchanan, Human Rights Watch

Senior Advisor to the Board

Diederik de Savornin Lohman, Human Rights Watch

Advisory Committee

In order to ensure the highest quality work, the Russian Justice Initiative regularly consults with experts on Russian law, the European Convention on Human Rights, and proceedings before the European Court. The Project has established an advisory committee comprised of legal academics and experienced international lawyers who take an active role in advising the project on legal issues.

Anne Bouillon, Avocats sans Frontières France

Jane M. Buchanan, Former Executive Director, Chechnya Justice Project and Human Rights Watch

Professor William Bowring, Faculty of Law, London Metropolitan University

Professor André Nollkaemper, Faculty of Law, University of Amsterdam

Gareth Peirce, Birnberg, Peirce and Partners, London

Maria K. Pulzetti, Founding Executive Director, Chechnya Justice Project

Ruslan Yandarov, Lawyer

FINANCES

Statement of Financial Activities in 2009 for the North and South Caucasus

INCOME	
Individual contributions	1,000.000
Grants	608,841.51
Reimbursement of Expense	255,646.67
Other Income	15,113.68
Total Income	**880,917.98**
EXPENSE	
Equipment and Capital Purchases	18,114.42
Personnel (incl. taxes and all benefits)	273,013.15
Consultants, honoraria, translations	82,789.10
Administration, including rent	60,866.76
Publications	1,197.09
Travel	40,807.39
Other	8,661.87
Subgrant to GYLA (SCJP)	53,160.10
Total Expense	**538,610.48**
Total Assets, Beginning of Year	126,397.90
Change in Assets (Income-Expenses)	342,307.50
Total Assets, End of Year	468,705.50

Notes on the Accounts

These accounts represent a summary of the information contained in our Statement of Financial Activities and the Balance Sheet.

The listed income category "reimbursement of expense" represents the funds paid to the organization by the Russian Government pursuant to the costs and expenses award of the European Court of Human Rights. These funds belong to the organization's endowment fund.

RJI's financial statements are subject to a yearly audit which examines all organizational financial records from Ingushetia, Moscow and Utrecht. The results of our audit are communicated to the Governing Board and to our financial supporters. The 2009 audit was carried out by the Auditing Firm "S.A.P" LLP in Moscow.

The 2009 audit conclusion was unreservedly positive.

SUPPORTERS AND ACKNOWLEDGEMENTS

The Russian Justice Initiative gratefully **acknowledges** its financial supporters during 2009: The Global Conflict Prevention Pool, the Swedish Helsinki Committee, the Royal Netherlands Ministry of Foreign Affairs, the Royal Norwegian Ministry of Foreign Affairs, the Open Society Institute, the United Nations High Commissioner for Refugees, and the United Nations Voluntary Fund for Victims of Torture.

We are pleased to announce among our **supporters** for 2010: The Global Conflict Prevention Pool, the Royal Netherlands Ministry of Foreign Affairs, the Open Society Institute, the United Nations High Commissioner for Refugees, and the United Nations Voluntary Fund for Victims of Torture. Applications with the Royal Norwegian Ministry of Foreign Affairs and the Swedish Helsinki Committee are pending.

Our work would not be possible without the help and support of our Ingushetia security team, who ensure the safety of our staff and clients when in Ingushetia. We are indebted to Andrea Algard, who ensured RJI's funding base for 2009 in her role as Grants Manager, and to Ole Solvang, former Executive Director of RJI, for his support and practical advice throughout 2009. We thank our many partners for the opportunity to draw upon their experience and wisdom, including the European Human Rights Advocacy Centre, the Human Rights Centre "Memorial," the Nizhni Novgorod "Committee Against Torture," the Georgian Young Lawyers Association, Human Rights Watch, Amnesty International, Aim for Human Rights and Civil Rights Defenders. We are especially thankful to Holly Cartner of Human Rights Watch for her years of service to RJI as a member of the Board, who stepped down in June 2009. We mourn the loss of our former Chair of the Board, Jan ter Laak, who died after a sudden illness in March 2009. Jan was committed to the cause of human rights throughout his life and provided years of vision and leadership to RJI. We also wish to thank for their myriad forms of invaluable assistance Daria Trenina, Anna Dolidze, Tanya Lokshina, Kseniya Brailovskaya, Tatiana Morschakova, Oksana Shelest, Alexander Petrushev, Aleksey Krasnov, Aleksey Ovcharuk, Ruth Niçaise, Ekaterina Sokirianskaia, Bill Bowring, Philip Leach, Jan de Vries, Cormac McGuire, Boel Stier; as well as our loyal and trustworthy notary public in Utrecht Mr. Leon Begheijn and Ms. Esselien van Eerten for her generous support; and many others who, for security reasons, cannot be named here.

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The Court recognized that I have a right to know what happened to my son… and that the authorities never properly investigated the case. They should commence a thorough investigation and tell me where my son is.

Zara Vagapova, 26 February 2009

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