



## **Information Documents**

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**Thirty-first interim report by the Secretary General on the presence of the Council of Europe's experts in the Office of the Special Representative of the President of the Russian Federation for ensuring Human Rights and Civil Rights and Freedoms in the Chechen Republic**

**Period from 14 October to 24 November 2003**

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## **I. INTRODUCTION**

1. This is the 31st interim report by the Secretary General covering the activities of the three consultative experts, Mr Rikard Barkeling, Ms Estelle Steiner and Mr Martin Zeman, providing expertise to the Office of the Special Representative of the President of the Russian Federation for Ensuring Human Rights and Civil Rights and Freedoms in the Chechen Republic.<sup>1</sup>
2. For security reasons, the experts were not in a position to return to the Chechen Republic during the period covered by this interim report. They have been working at the headquarters in Strasbourg.
3. During the above-mentioned period, the experts have been following the situation in the Chechen Republic focusing on political developments, security, human rights and the socio-economic situation.
4. The implementation of the additional tasks<sup>2</sup>, agreed upon by an exchange of letters between the Council of Europe Secretary General and the Russian Minister of Foreign Affairs, has continued. In this context, a training course on the management of a human rights library was organised from 3 to 7 November 2003 in Strasbourg for librarians from Grozny State University.

## **II. ASSESSMENT OF THE CURRENT SECURITY SITUATION**

### **a. In the Chechen Republic**

#### Monitoring of incidents

5. Since the Chechen presidential elections on 5 October 2003, the number of incidents reported by Russian language media, monitored by the experts, has increased as compared to the month leading up to the presidential vote.
6. According to the experts' monitoring, between 14 October and 24 November 2003, 121 people were reported killed in the Chechen Republic.

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<sup>1</sup> At this stage, and due to the present circumstances, no additional information is provided by the Secretary General in an addendum to this interim report, without prejudice to the ongoing regular collection of information by the Monitoring Department of the Directorate of Strategic Planning (DSP), in accordance with the decision of the Ministers' Deputies of 10 October 2000 (doc. CM/Del/Dec(2000)725, item 1.7).

<sup>2</sup> See Appendix I.

7. Grozny's share of the reported fatal incidents has increased to around 20 percent now, as opposed to 10 percent in July and August 2003. On 23 October, the Deputy Head of the Interior Ministry in the Staropromyslovsky district of Grozny was reported to have said that nightly attacks had increased lately in his district of the Chechen capital.<sup>3</sup>
8. Since 14 October 2003, no incidents have been reported from the three northern districts of Chechnya (Nadterechny, Shelkovsky and Naursky). Most incidents were reported from Grozny, as well as from the districts of Achkoy Martan (western Chechnya), Vedeno (south-eastern Chechnya) and Shali (central Chechnya).

#### Assassinations

9. A representative of the Chechen Interior Ministry confirmed that the Deputy Head of the Chechen Presidential security, Shakhrani Baysarov, was assassinated on 17 October.<sup>4</sup>
10. On 14 October, the Deputy Chief of the investigation bureau of the Chechen Interior Ministry, Zhelaudi Mezhiyev, was reported killed in Grozny.<sup>5</sup>

#### **b. In the Ingush Republic**

11. Information from the Russian Interior Ministry in Northern Caucasus, referred to by Russian media, indicate that the situation in Ingushetia has deteriorated. It is reported that the Russian Interior Ministry and the Ingush branch of the federal security service have been engaged in security sweeps targeting groups of rebels on Ingush territory.<sup>6</sup>
12. The investigation into terrorist attacks in Moscow, North Ossetia and Chechnya has reportedly showed that several groups specialising in the recruitment and training of suicide bombers have been active on Ingush territory.<sup>7</sup>

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<sup>3</sup> Strana.ru, 23 October 2003.

<sup>4</sup> Itar-Tass, 20 October 2003.

<sup>5</sup> RIA Novosti, 14 October 2003.

<sup>6</sup> Strana.ru, 11 November 2003.

<sup>7</sup> Strana.ru, 11 November 2003.

13. The following major incidents were reported from Ingushetia:
- On 21 October, a bomb exploded under a Nazran-Moscow train near the administrative border between Ingushetia and North Ossetia. No casualties.<sup>8</sup>
  - On 10 November, a bomb exploded under the car of the First Deputy of the Ingush Chief Prosecutor, Umarbek Galaev. No casualties.<sup>9</sup>
  - On 10 November, two men opened fire on the police when their car was being stopped near the Chechen border. One policeman reported killed and two injured.<sup>10</sup>
  - On 11 November, two men opened fire on a market in Nazran. One guard reported injured.<sup>11</sup>
  - On 13 November, an explosion occurred in the village of Troitskaya, killing five Interior Ministry soldiers and wounding ten more as they entered a private house for a security check.<sup>12</sup>

### III. LATEST POLITICAL DEVELOPMENTS

#### a. Recent statements by leading Russian officials

14. Attending the October summit of the Organisation of the Islamic Conference in Malaysia, the Russian President Vladimir Putin stated that Russia would intensify its efforts to bring about a political stabilisation in the Chechen Republic, involving all political forces in the interest of all inhabitants of Chechnya.<sup>13</sup>
15. At a press conference during the EU-Russia summit on 5 November, the Russian President Vladimir Putin stated that some western countries do not seem to take notice of the political steps taken by Russia as regards the settlement of the Chechen conflict.<sup>14</sup>
16. The Russian President also stated that Brussels needed to do even more for Chechnya and that some political forces seem to be trying to exploit the Chechen theme in order to put pressure on Russia. The Russian President also regretted the absence of western observers during the Chechen presidential election on 5 October.<sup>15</sup>

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<sup>8</sup> Itar-Tass and Interfax-South, 21 October 2003.

<sup>9</sup> RFE/RL, 10 November 2003.

<sup>10</sup> RFE/RL, 10 November 2003.

<sup>11</sup> RFE/RL, 10 November 2003.

<sup>12</sup> Interfax-South, 14 November 2003.

<sup>13</sup> Itar-Tass and RIA Novosti, 16 October 2003.

<sup>14</sup> Russian Foreign Ministry, transcript of press conference given by President Putin in Rome on 5 November 2003 (“Vstypitelnoe slovo i otvety na voprosy zhurnalistov Prezidenta Rossii V. V. Putina na press-konferentsi po itogam peregovorov s S. Berluskoni”).

<sup>15</sup> Russian Foreign Ministry, transcript of press conference given by President Putin in Rome on 5 November 2003.

**b. The Office of the new Chechen President**

17. On 19 October, Akhmad Kadyrov was inaugurated as Chechen President in Gudermes. The inauguration was attended by the then Head of Administration of the Russian President, Alexander Voloshin.
18. In his inauguration speech, the newly elected Chechen President stated that the referendum in March and the presidential elections prove that Chechens have rejected violent methods for solving the question of power in the Republic. According to Mr Kadyrov<sup>16</sup> and it is only through popular support that it will be possible to solve the economic and political problems in Chechnya.
19. On 23 October, the Chechen President appointed Ziyad Sabsabi as chief-of-staff of the Chechen presidential administration. Until recently, Mr Sabsabi was in charge of external economic relations at the representation of the Chechen Republic in Moscow.<sup>17</sup>

**c. The new Chechen government**

20. The Chechen government was dismissed after the presidential elections on 5 October.<sup>18</sup> Between 4 and 13 November, a new government was formed according to Article 70 of the Constitution of the Chechen Republic.
21. The new government is composed as follows:
  - Anatoly Popov, Prime Minister
  - Eli Isayev, Minister of Finance and First Deputy Prime Minister
  - Ziyad Sabsabi, Deputy Prime Minister
  - Adlan Magomadov, Deputy Prime Minister and the Chechen President's envoy to the Russian President
  - Movsar Khamidov, Deputy Prime Minister coordinating the security structures in the Chechen Republic
  - Dukuvakha Abdurakhmanov, Deputy Prime Minister and Agriculture Minister
  - Bilkhis Baidayeva, Deputy Prime Minister and Minister of Social Affairs
  - Magomed Vakhayev, Minister of Labour and Social Development
  - Lyoma Dadayev, Minister of Education

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<sup>16</sup> Izvestiya and Strana.ru, 20 October 2003.

<sup>17</sup> Interfax, 23 October 2003.

<sup>18</sup> RIA Novosti, 11 October 2003.

- Shakhid Akhmadov, Minister of Health
  - Abdula Magomadov, Minister of Economic Development and Trade
  - Taus Dzhabrailov, Minister of Nationalities and Press
  - Movla Osmayev, Minister of Culture
  - Abu Sugaipov, Minister of Construction and Architecture
  - Amady Temishev, Minister of industry, Science, Technology and Computerization.
  - Alu Alkhanov, Minister of the Interior
  - Ruslan Avtayev, Minister of Civil Defense and Emergency Situations.
  - Haidar Alkhanov, Minister of Sport and Tourism.
  - Visradi Anasov, Minister of Property Rights.
22. President Akhmad Kadyrov has declared that he has given the government a test period of three months, after which he will reconsider the appointments.<sup>19</sup>
- d. The upcoming elections to the State Duma of the Federal Assembly**
23. On 7 November, the official campaign leading up to the Duma elections on 7 December started in Chechnya. The Chechen Central Electoral Commission has registered ten official candidates that will run for one seat in the Russian Duma:
- Bekkhan Khasbulatov (rector of the Chechen Pedagogical University)
  - Amin Osmayev (assistant to Duma deputy)
  - Musa Umarov (businessman)
  - Ibragim Suleymenov (deputy head of Chechen military district; nominated by the Chechen section of the “Popular Party” – **withdrew on 25 November 2003**)
  - Gersolt Elmurzayev (deputy chairman of the Chechen Council of Labour Unions; nominated by the electoral block “New Direction - Automobile Russia”)
  - Akhmar Zavgayev (Chechen representative in the Russian Federation Council)
  - Alaudi Musayev (assistant to Duma deputy)
  - Milan Saidullayev (CEO of the Moscow-based “Milan” concern; brother of former presidential candidate Malik Saidullayev)
  - Salambek Maigov (former spokesperson for Aslan Maskhadov in Moscow)
  - Sharip Alikhadzhiyev (head of administration in Shali district – **withdrew on 25 November 2003**)

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<sup>19</sup> RIA Novosti, 11 October 2003.

24. Only two of the candidates have been nominated by parties and only three reside in the Chechen Republic. All candidates are entitled to five minutes altogether of free airtime on local television as well as to free space in eight local newspapers.<sup>20</sup> On 18 November, a first debate between candidates was held on Chechen television.<sup>21</sup>

**e. Other Chechnya-related political issues**

25. On 29 October, the Italian and Irish Foreign Ministers, as well as EU Commissioner Günter Verheugen and Javier Solana, Secretary General of the Council of European Union, High Representative for the Common Foreign and Security Policy, met the Russian Foreign Minister Igor Ivanov in Moscow. “We support the process of constitutional reform in Chechnya”, the Italian Foreign Minister said following the talks between Mr Ivanov and the three EU leaders. He continued: “I have again recalled the necessity to continue reforms to improve living standards and involve people in the political and administrative processes in Chechnya”.<sup>22</sup>

**IV. HUMAN RIGHTS**

**a. Follow-up to complaints lodged with the Office of the Special Representative**

26. According to the information provided to the consultative experts on 2 October 2003 by the Office of the Special Representative of the President of the Russian Federation for ensuring Human Rights and Civil Rights and Freedoms in the Chechen Republic, 530 complaints were registered by the Office between April and August 2003. Of these complaints, 160 concerned missing persons. During this period, 264 complaints were forwarded to prosecuting bodies.<sup>23</sup>

27. Referring to the information mentioned above on the activities of the Office in April-August 2003, the Secretary General has asked the Special Representative to provide further information on the follow-up given to the 264 complaints which had been forwarded to the bodies.

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<sup>20</sup> Itar-Tass and RIA Novosti, 31 October 2003.

<sup>21</sup> Itar-Tass, 13 November 2003.

<sup>22</sup> RIA Novosti, 29 October 2003.

<sup>23</sup> See 30<sup>th</sup> Interim Report – SG/Inf (2003) 37.

28. The Secretary General also requested additional information about progress made concerning the Sabdullayev-case and several other cases registered in the past by the Office, as well as two cases reported recently by the Russian media.
29. The Office of the Special Representative promised to provide information about all these cases on 28 November 2003 in Moscow during a meeting between the Special Representative, Mr Sultygov, and the Director General of Political Affairs of the Council of Europe, Mr Schumann.

**b. The setting-up of a Chechen human rights ombudsman**

30. On 27 October, President Kadyrov expressed his intention to establish a republican special representative for ensuring human rights in the Chechen Republic and to establish a coordinating organ for cooperation with Chechen human rights organisations.<sup>24</sup>
31. The possibility of appointing a Human Rights Commissioner of the Chechen Republic is enshrined in Article 83 of the Chechen Constitution.

**c. Conclusions of the United Nations Human Rights Committee**

32. After consideration of the fifth periodic report of the Russian Federation on the fulfillment of the International Covenant on Civil and Political Rights on 24-25 October 2003, the UN Human Rights Committee adopted its conclusions on 4 November 2003.<sup>25</sup>
33. The Committee remained “deeply concerned about continuing substantiated reports of human rights abuses in the Chechen Republic, including extra-judicial killings, disappearances, torture and rape”. It took note that 54 Russian police and military personnel have been prosecuted for crimes committed against civilians in Chechnya, but added that the charges and sentences given do not appear to correspond with the gravity of the acts committed. “Executions, torture, crimes and violations of human rights seem to have been committed with a great dose of impunity”, declared Nigel Ridley, a member of the Committee.<sup>26</sup>

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<sup>24</sup> Reported by Itar-Tass and Chechnyafree.ru, 27 October 2003.

<sup>25</sup> UN information service, see <http://www.unog.ch>.

<sup>26</sup> Quoted by Agence France Presse (AFP), 7 November 2003.



**d. Missing persons**

34. On 24 October, the Russian delegation informed the UN Human Rights Committee that in 2003, the Ministry of Justice had discovered the whereabouts of 700 missing persons in Chechnya. About 45 percent of those abducted were found alive. The issue of disappearances was partly attributed to armed gangs that abduct people as hostages to be exchanged for money.<sup>27</sup>
35. According to the Deputy Prosecutor General of the Chechen Republic, Alexander Nikitin, the whereabouts of 2,000 Chechens remains unknown. According to Mr Nikitin,<sup>28</sup> the Prosecutor General's Office is currently investigating 1,500 of these cases.
36. According to the NGO "Vozvrashenie" (newly-created NGO "Return" collecting information on missing persons), 4,000 Chechens have gone missing since the start of the second Chechen campaign in 1999.<sup>29</sup>

**e. The abductions of Arjan Erkel and Ali Astamirov**

37. On 19 November, UN acting coordinator for Humanitarian Problems, Mikko Vienonen, issued another call<sup>30</sup> to free Arjan Erkel, Head of the Dagestani mission of *Médecins Sans Frontières*, who was kidnapped in Dagestan in August 2002.<sup>31</sup>
38. Five months after his abduction on 4 July 2003, the whereabouts of Ali Astamirov, AFP correspondent in Chechnya and Ingushetia, who was kidnapped by a group of armed men in the village of Altievo (Ingushetia), in front of fellow journalists, remains unknown.<sup>32</sup>

**f. The Zakayev case**

39. On 13 November 2003, a London Court rejected Russia's request for the extradition of Akhmed Zakayev, arguing that it was politically motivated.<sup>33</sup>

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<sup>27</sup> UN information service, see <http://www.unog.ch>.

<sup>28</sup> Radio Svoboda (RFE/RL), 28 October 2003.

<sup>29</sup> Radio Svoboda (RFE/RL), 28 October 2003.

<sup>30</sup> Statement issued at a press conference at Interfax on 19 November 2003.

<sup>31</sup> Fifty-seven aid workers have been kidnapped and ten have lost their lives in Chechnya since 1995.

<sup>32</sup> Reporters Sans Frontières.

<sup>33</sup> The Guardian, BBC News and RIA Novosti, 13 November 2003.

40. Judge Timothy Workman quoted one witness saying that Chechens are almost always tortured when detained. He added that he had found plausible the evidence of another witness who had stated he was tortured into signing a statement against Mr Zakayev. “I have come to the inevitable conclusion that if the [Russian] authorities are prepared to resort to torturing witnesses, there is a substantial risk that Mr Zakayev would himself be subject to torture”, he said.
41. Commenting on the decision of the London Court, a spokesperson for the Russian Prosecutor’s Office, was quoted as saying that once again double standards had been used by distinguishing between “good and bad terrorists”. He also stated that the Prosecutor’s Office had the possibility to appeal the London Court decision.<sup>34</sup>

## **V. ECONOMIC RECONSTRUCTION AND SOCIAL REHABILITATION**

42. On 18 November, the UN Secretary-General launched the annual global appeal for humanitarian aid. He requested three billion dollars for aid in 2004 to help save the lives of 45 million people in 21 of the world’s most serious crises, including Chechnya and neighbouring republics.
43. More than seventy percent of Chechnya’s able-bodied population are unemployed<sup>35</sup> and a vast majority live below the poverty line. Some sixty-three percent earn less than 17 euros a month. According to the UN Office for the Coordination of Humanitarian Affairs, about 1.220,200 people in the region need relief and recovery aid, in addition to government support, if they are to survive and live in dignity. Fifty-two million euros would be needed by UN agencies and NGO partners for next year.

### **a. Economic reconstruction**

44. The Russian government has agreed on the allocation of a 115-million-euro budget to the special programme for 2004-2005 for the reconstruction of the Chechen Republic. According to the Federal Minister for reconstruction in Chechnya, Stanislav Ilyasov, the programme will create around 20,000 new jobs.
45. Another 480 million euros will reportedly be invested in Chechnya through other channels during this period. The Chechen oil business will bring some 30 million euros into the Chechen economy.<sup>36</sup>

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<sup>34</sup> RIA Novosti, 13 November 2003.

<sup>35</sup> Employment service of the Chechen Labour Ministry, 19 November 2003. A total of 308,000 people in the republic with a population of 416,000 are unemployed.

<sup>36</sup> Politcom.ru and Strana.ru, 30 October 2003.

**b. Compensation payments**

46. According to the Russian Minister for reconstruction in Chechnya, over 40,000 displaced Chechen households have by now been recognised as eligible for lost property compensation and will be paid compensation over two years.<sup>37</sup>
47. Two hundred and forty-six families have so far received financial compensation for lost housing (approx. 9,000 euros) and property (approx. 1,500 euros).<sup>38</sup> The Russian government allocated 14 billion roubles (approx. 400 million euros) for the programme.
48. The Chechen Prime Minister, Anatoly Popov, has criticized the committee in charge of the compensation scheme in the Chechen Republic for delays in its work.<sup>39</sup>

**c. Situation of Internally Displaced Persons (IDPs)**

49. According to the President of Ingushetia, Murat Zyazikov, more than 10,000 Chechen refugees currently in Ingushetia have filed applications to return home.<sup>40</sup> On 19 October, the Russian Ministry for Emergency Situations stated that about 25,000 IDPs have returned to the Chechen Republic so far this year.<sup>41</sup>
50. The gradual return of IDPs from Ingushetia to Chechnya has continued, reaching in October the highest ever monthly number of 2,985 registered returns.<sup>42</sup> From 1-14 November, 1,614 IDPs returned home, and no new arrivals from Chechnya to Ingushetia were reported.
51. As of 15 November, 70,406 Chechen IDPs were still registered for assistance in Ingushetia in the database of the Danish Refugee Council (DCR), including 8,500 people living in the four remaining official tent camps (Satsita, Alina and Sputnik at the outskirts of Ordzhonikidzevskaya and Bart in Karabulak), some 23,400 people in temporary settlements and over 38,500 people in private accommodation.<sup>43</sup>

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<sup>37</sup> RIA Novosti, 5 November 2003.

<sup>38</sup> Itar-Tass, 19 November 2003.

<sup>39</sup> Novye Izvestia, 29 October 2003.

<sup>40</sup> RIA Novosti, 31 October 2003.

<sup>41</sup> Interfax, 19 October 2003.

<sup>42</sup> UN Office for the Coordination of Humanitarian Affairs (OCHA). 1,675 IDPs returned from Ingushetia to Chechnya in August and 2,005 in September, whereas 262 people arrived from Chechnya to Ingushetia in August, 217 in September and 102 in October.

<sup>43</sup> In October, some 71,685 Chechen IDPs were registered for assistance, among them 9,000 people living in tent camps, 23,000 people in temporary settlements and some 39,000 people in private accommodation.

52. After the closure of Bella camp on 1 October, it is generally expected that the next IDP camp to be closed will be “Alina”, although this is categorically denied by the migration authorities, who insist that camps will not be closed unless IDPs leave voluntarily.<sup>44</sup> It has been stated previously by the migration authorities that IDP camps with a population under 1,000 are not “economically feasible”. As of 5 November, 1,261 IDPs were registered in Alina camp (on 1 January they were 3,994), as opposed to the migration authorities’ number of 950 IDPs (271 families).<sup>45</sup>

#### **VI. ADDITIONAL TASKS: HUMAN RIGHTS LIBRARY AT GROZNY STATE UNIVERSITY**

53. Three Chechen teachers from the foreign languages faculty of Grozny State University were trained in the management of a human rights library from 3 to 7 November 2003 in Strasbourg.
54. Two *ad hoc* experts<sup>46</sup> from the Rostov-on-Don Centre for Civic and Legal Education provided the participants with information about the tools necessary to run a library, ranging from computerized cataloguing techniques to information search and management of visitors.

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<sup>44</sup> People in Need Foundation (PINF), 18 November 2003.

<sup>45</sup> PINF, 18 November 2003.

<sup>46</sup> Konstantin Krakovski (director of the Rostov-on-Don Centre for Civic and Legal Education) and Elena Frolova (documentalist at the Rostov Centre)

**Appendix I****Programme of Cooperation in the Chechen Republic**  
State of implementation as of 17 November 2003Activities implemented so far

1. **Training in Good Practice in Electoral Matters**  
4-6 March 2003, Magas, Ingushetia.
2. **Human rights seminar for students from the University of Grozny**  
10-12 April 2003, Nazran, Ingushetia.
3. **Human rights training of staff of law enforcement agencies, local police and prison staff**
  - Needs Assessment Mission, 24-26 April 2003 in Nazran, Ingushetia.
4. **Assessment and expert assistance in promoting republican, municipal and local government and self-government and training of civil servants, elected representatives and officials based upon the European Charter of Local Self-Government**
  - Needs Assessment Mission on local democracy, 13-15 May 2003 Nazran, Ingushetia
  - Follow-up activity: study visit to the Republic of Mordovia for Deputy Heads of 18 (out of 21) District Local Government of Chechnya, 27-29 August 2003.
5. **Development of a psychosocial rehabilitation and reintegration programme for women-widows and children-orphan in residential care and places of temporary accommodation. The programme includes the training of professionals in psychosocial counselling**
  - Seminar, 27-29 May 2003, Nazran, Ingushetia.
6. **Training in Good Practice in electoral matters and code of conduct of electoral campaign for electoral teams of presidential candidates**  
11-12 September 2003, Moscow.
7. **Human rights library in the University of Grozny**
  - Training of three librarians from the Grozny State University, 3-7 November 2003, Strasbourg.