



## Information Documents

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**Twenty-eighth 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 May to 20 June 2003**

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1. This is the 28<sup>th</sup> interim report by the Secretary General covering the activities of the three Council of Europe experts, Mr Guy-Michel Brandtner, Ms Eva Konecna and Ms Marine Trévisan, providing consultative expertise to the Office of the Special Representative of the President of the Russian Federation for Ensuring Human and Civil Rights and Freedoms in the Chechen Republic during the period from 14 May to 20 June 2003.
2. For security reasons, the experts were not present in the Chechen Republic during the aforementioned period. They have been working at the headquarters in Strasbourg since the incident on 21 April 2003 when a roadside bomb exploded while the convoy with the experts was passing.<sup>1</sup>
3. The activities related to the additional tasks of the experts' mandate as defined by the exchange of letters of 6 and 24 June 2002 between the Secretary General of the Council of Europe and the Minister of Foreign Affairs of the Russian Federation continued to be implemented. In this context, two seminars were organised in Nazran, in the neighbouring Republic of Ingushetia. A needs assessment mission on local self-government and a training seminar on social rehabilitation of women and children were held in May.

## **I. SECURITY SITUATION**

4. The security situation remained very tense. Violent attacks were still reported. Bomb attacks, including suicide commandos, followed one another during the covered period. A non-exhaustive list of serious security incidents is appended.
5. Unprecedented security measures were taken in Chechnya for Russian Day, 12 June 2003.
6. Among the victims during the period under review was an applicant to the European Court of Human Rights. He was one of the seven Chechen civilians murdered on 21 May 2003 by unidentified gunmen in the village of Kalinovskaya in the Naur District. According to information available to the human rights centre "Memorial" the killings are attributed as revenge against an active role played by the victims in anti-military meetings against the violation of human rights in Chechnya by the Federal Forces. (Interfax, 21.05.03; Memorial, 26.05.03).

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<sup>1</sup> Due to the present circumstances, no additional information is provided by the Secretary General in an Addendum to the 28<sup>th</sup> interim report, without prejudice to the 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).

7. On 3 June 2003, federal forces reported finding a cache with weapons and archives of Mr Maskhadov in the village of Mahkety in the Vedeno District (Moscow Times, 04.06.03).
8. According to the Ministry of the Interior of the Chechen Republic, a decree on the confiscation of weapons is to be prepared. In this context, authorities may start buying illegally-held weapons from the Chechen population (Moscow Times, 04.06.03).

## **II. POLITICAL ISSUES**

9. On 3 June 2003, the Acting President, Mr Kadyrov, issued a decree dismissing the Chechen government and heads of district administrations. Three new ministers<sup>2</sup> were appointed to the government created on 9 June 2003. In addition, he replaced the mayor of Grozny, Mr Zhidkov, by Mr Arsanov, former Chairman of the Government's Committee for Young People's Affairs. According to the Chechen Prime Minister, Mr Popov, it was a technical move intended to bring the local government's structure into compliance with the Chechen Constitution approved in the referendum. However, observers said this was an effort to reassert Mr Kadyrov's influence in Chechnya and to assert his independence from the federal authorities (Interfax, RIA Novosti, Moscow Times, 04.06.03).
10. In his Address to the Federal Assembly of 16 May 2003, President Putin stated the following priorities to bring situation in Chechnya back to normal: i) to elect the president and parliament of the republic; ii) to form the local government bodies; iii) to develop and sign a treaty on the devolution of powers between the federal centre and the republic; and iv) to restore the economy of Chechnya.
11. The State Council of the Chechen Republic was formed on 16 June 2003. In accordance with the Chechen Constitution. The council is composed of 21 deputies from 18 districts and from three cities - Grozny, Gudermes and Argun. The council will perform the functions of the republic's parliament until the latter is elected (Interfax, 16.06.03).

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<sup>2</sup> Mr Dzhabrailov, Minister for National Issues; Mr Magomadov, Minister for Economic Development and Trade; Mr Baybatyrov, Head of the Committee on Issues related to Internally Displaced Persons and the Payment of Compensation.

### III. HUMAN RIGHTS

12. According to Ms Alexeyeva, member of the President's Human Rights Commission, methods to carry out mop-up operations by federal forces have changed in the aftermath of the referendum. Whereas mop-up operations undertaken by the federal forces were previously connected with complaints of robbery of the local population, there are now complaints of a high number of disappearances. Amnesty International also reported that people continue to disappear following detention at checkpoints and during night raids. (Moscow Times, 13. 06.03; AI open letter to EU on the EU-Russia summit, 31.05.03).
13. The Chechen population mostly fears three groups: i) rebel fighters; ii) the so-called "Kadyrovtsi" – men loyal to the Kadyrov administration; and iii) federal forces. It is however difficult to distinguish between these different groups as they all are in masks and camouflage uniforms and carry the same guns. Federal forces are described as the most frightening because of their numbers (Moscow Times, 13.06.03).
14. In this respect, Amnesty International called on President Putin to take measures to protect the human rights of the Chechen population by ensuring respect for Order No. 80 and Decree No. 46 preventing disappearances and stopping attempts to forcibly return Chechen IDPs to Chechnya (AI open letter to EU during the EU-Russia summit, 31.05.03).

### IV. RULE OF LAW

#### *a) Prosecuting bodies*

15. According to the *Prokuratura* of the Russian Federation, 57 criminal cases concerning unlawful activities of members of the federal forces have been sent to the courts since 1999. So far 51 soldiers have been found guilty of human rights abuses and 19 soldiers have been sentenced to prison.
16. According to Mr Fridinsky, Deputy Prosecutor General, disappearances remain a "serious problem" in Chechnya and the majority of these cases go unresolved. 1,200 investigations have been opened for disappearances of 1,663 people - only 650 investigations were opened last year. The *Prokuratura* of the Russian Federation considers the situation difficult in Chechnya. However, statistics show an improvement of the overall situation. 7,000 crimes were registered in 2001, while only 1,000 in 2002 (AFP, 03.06.03).

***b) Amnesty***

17. On 7 June, the State Duma of the Federal Assembly passed a resolution on amnesty in Chechnya, adding genocide to the list of serious crimes that will not be covered by the amnesty. Over 200 rebels currently serving prison terms or expecting trial and 200 servicemen having committed various offences in Chechnya will be granted amnesty. According to the regional headquarters of the anti-terrorist operation in the North Caucasus, 39 people have already surrendered arms. In addition, 120 persons have contacted law enforcement agencies through relatives to find out the terms of the surrender of weapons. Mr Kadyrov instructed the government to draft a comprehensive program of social rehabilitation for former rebels (Interfax 03.06.03: Guardian 04.06.03: Moscow Times 05.06.03).
18. Opinion on the amnesty differs amongst the population, the Duma members and human rights activists. According to a Mr Mitrokhin, a member of the Duma, amnesty is axed towards public relations that can achieve little since the two sides of the conflict are not yet even close to approaching the negotiating table for a true political solution to the war. The Moscow Helsinki Group believes that all 500 rebels granted amnesty in 1999 have since been killed or have disappeared. On the contrary, Ms Alexeyeva says amnesty is desperately needed (Moscow Times, 02.06.03).

***b) Compensation***

19. A Commission to control the payment of compensation, composed of representatives of the public, of the Chechen government and of law enforcement structures, has been set up. According to President Putin, the Chechen population will receive compensation for the loss of property in the autumn (Government of the Russian Federation, 11.06.03).

**V. DEMOCRACY*****a) Presidential Elections***

20. The date of the presidential elections has not yet been announced. The President's Special Representative, Mr Sultygov, is of the opinion that the upcoming elections will be held in October and Russian and international observers should monitor the elections to ensure a fair vote. He emphasised the participation of all political forces is important in the preparation of the elections and thinks that three out of about fifteen potential candidates for Chechen President are considered to have the greatest chance of winning (Mr Dzhabraïlov - businessman, Mr Kadyrov – Acting President and Mr Malik Saidulayev – businessman, owner of the game “Russian Loto”). Mr Kadyrov has already announced his intention to run for the presidency (Interfax, 03.06.03).

## VI. ADDITIONAL TASKS

*a. Assistance in promoting republican and municipal local government and self-government*

21. From 13 to 15 May, a needs assessment mission (NAM) was carried out by the Council of Europe ad hoc experts<sup>3</sup> to Nazran (Ingushetia). The NAM's aim was to assess the need for immediate assistance with the establishment of local self-government in Chechnya and the improvement of management capabilities at local level through the development of in-service training mechanisms for the (future) local authorities and administrations.

*b. Assistance in psychological rehabilitation for women and children*

22. From 27 to 29 May, a seminar on psychological rehabilitation of women and children was organised in Nazran (Ingushetia) with a view to training the trainers in these matters. The Council of Europe ad hoc experts<sup>4</sup> provided about 50 participants with information on various methods concerning the psychological rehabilitation and reintegration of women and children traumatised by the war experience.

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<sup>3</sup> Mr. T. Jirsa (Czech Republic), Mr J.Krolikowski (Poland) and Mr Trutkowski (Poland).

<sup>4</sup> Mr Jean-Louis Brassat (France), Mrs Jasenka Pregrad (Croatia), Mr Valery Kapalkine (Russian Federation), Mrs Jan Field (Canada)

## APPENDIX

***Record of major incidents and attacks which occurred  
in the Chechen Republic after the referendum on 23 March***

1. 3 April 2003 - Grozny, Leninskyi District - a bus explosion - 6 people killed and many injured
2. 21 April 2003 – a bomb explosion near the Office of the Special Representative when the convoy of the CoE experts was passing
3. 26 April 2003 – Urus-Martan District – a remote-control landmine explosion - 4 people injured (3 police officers)
4. In the period from 28 April to 4 May 2003 – 11 vehicles blown up, 37 attacks on the federal forces’ positions, 2 attacks on military convoys
5. 7 May 2003 – Urus-Martan District, between the villages of Goiskoye and Komsomolskoye – a bomb attack on a convoy - 4 police officers killed
6. 9 May 2003 – Grozny - a bomb attack – 1 person killed, 2 people injured
7. 12 May 2003 – Znamenskoye – a suicide bomb attack – about 50 people killed, 15 seriously injured; 436 people injured (statistics vary on the number of victims)
8. 14 May 2003 – Gudermes District - the village of Iliskhan-Yurt – a suicide bomb attack - 10 people killed, 55 people injured, 14 people seriously injured  
- Vedeno District - the village of Eshilkhotoy – attack on a helicopter - no casualties
9. 21 May 2003 – village of Kalinovskaya – attack on civilians – 7 people killed
10. 22 May 2003 – Groznenskyi District - the village of Chernorechye – a bomb attack on OMON special police senior officer

11. 23 – 24 May 2003 – Vedeno District - the village of Arginoi – an attack on a convoy of federal troops – 7 servicemen killed and 2 injured on the borders between the Kurchaloi and Vedeno Districts - an attack on a convoy of federal troops – 7 servicemen killed
12. 25 May 2003 – an attack on a convoy of police vehicles – no casualties reported
13. 26 May 2003 – attacks on two military convoys - 19 servicemen killed (including an attack near the village of Prigorodnoye – 3 servicemen killed and 8 injured)
14. 27 May 2003 – Urus-Martan – a bomb explosion in a cafe – 4 people injured
15. 28 May 2003 – Shatoy District, the village of Ulus-Kert – an attack – 2 people injured and 2 police officers disappeared
16. May 2003 – the village of Agish-Batoi – clashes between rebels and federal forces – 3 servicemen killed and 10 injured
17. 30 May 2003 – Grozny - a bus explosion – 3 people killed and 9 injured
18. 5 June 2003 – North Ossetia – a suicide bomb attack on a bus – 15 people killed and 12 injured
19. 6 June 2003 – Grozny - a house explosion – 8 people killed and 3 injured
20. 10 June 2003 – the village of Staraya Sunzha – a bomb attack on military vehicle – 4 servicemen injured