

Addendum to the Twenty-Third Interim Report by the Secretary General on the presence of 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
Additional information provided by the Secretary General

Introductory remarks

1. The present document provides additional relevant information on the situation of democracy, human rights and the rule of law in the Chechen Republic, Russian Federation, for the period from 10 October 2002 to 10 November 2002 (see decision of the Ministers' Deputies of 10 October 2000, CM/Del/Dec(2000)725, item 1.7)¹.
2. Following the hostage taking in Moscow's Dubrovka Theatre on 23 October 2002, I conveyed my sympathy and condolences to the families of the victims among the hostages. I also reiterated the Council of Europe's offer to step up its assistance in finding a political solution to the Chechen conflict (see <http://press.coe.int>; 26/10/02).
3. On 5 November 2002 in an interview with "Kommersant Daily", I called upon the Federal forces, that all military operations be carried out with full discipline and that orders, in particular Order N° 80 of General Moltenskoï calling for respect of the human rights of the civil population in the Chechen Republic, be observed (<http://www.coe.int>; 05/11/02).

I. Additional relevant information concerning the situation in the Chechen Republic

¹ This information has been collected by the Monitoring Department of the Directorate of Strategic Planning (DSP).

As concerns sources of information, the last sentence of para. 1 of the Committee of Ministers' Declaration of 10 November 1994 on compliance with commitments accepted by member States of the Council of Europe reads:

"the Committee of Ministers will take account of all relevant information available from different sources such as the Parliamentary Assembly and the [O]SCE". For more information concerning the Committee of Ministers' monitoring procedures, consult document [Monitor/Inf\(2002\)1](#), also on the Committee of Ministers' Web Site: <http://www.coe.int/cm>.

In general

4. Military activity intensified in Chechnya after the hostage taking and following the shooting down of a military helicopter on 3 November 2002. Eye witnesses told the representative of IWPR (Institute for War and Peace Reporting) that Russian troops carried out a series of operations in Prigorodnoe, Berdykel, Chechen-Aul, Starye Atagi, Alkhazurovo, Duba-Yurt and Chiri-Yurt (see CRS N° 154, 7/11/02 on http://www.iwpr.net/home_index_new.html). According to Interfax, Russian troops evicted the residents of two apartment buildings in the vicinity of the military base at Khankala before destroying them (<http://www.interfax-news.com/>, 5/11/02). On 9 November 2002, the shelling of several houses and local administration buildings in Eshelkhatoï in the Vedeno district by Russian forces was reported by "Prague Watchdog" (see <http://www.reliefweb.int/> on 9/11/02).

5. According to a survey conducted by the All-Russia Centre for the Study of Public Opinion (VTsIOM) with 1600 respondents at the end of October, public support for negotiations has fallen following the hostage crisis. 44 percent of those questioned said they supported holding negotiations with Mr Aslan Maskhadov, compared to 61 percent in a VTsIOM poll conducted in July 2002 (see <http://www.reliefweb.int/>, 5/11/02).

6. In mid-October the first nationwide census since 1991 was conducted, following which the Chairman of the State Statistics Committee of the Chechen Republic, Mr Ramzan Digayev, announced that the population of Chechnya amounted to 1.080,000. Certain NGOs, as well as Russian and Chechen human rights activists, however, have expressed doubts about the accuracy of the figures, estimating that Chechnya's present population is not higher than 700,000 (see <http://www.reliefweb.int/> on 17/10/02 and on 24/10/02).

7. On 28/29 October 2002, a conference with the purpose to "create a fruitful dialogue paving the way for negotiations and peace in Chechnya" organised by the World Chechen Congress, the Danish Support Committee for Chechnya and the Danish Centre for Holocaust and Genocide Studies took place in Copenhagen. Among the participants was former First Speaker of the Duma, Professor Ruslan Khasbulatov, who recently set out a peace plan which was suggested as a basis for further negotiations in the Congress Resolution, and the special envoy of Mr Aslan Maskhadov, Deputy Prime Minister Akhmed Zakayev, as well as Chechen representatives to a number of countries. Members of Parliaments from various European countries also attended the Congress. According to the organisers, members of the Russian administration and Duma were also invited to the Congress, but declined to participate (see <http://www.tjetjenien.dk/chechnya/index.html>). The Ministry of Foreign Affairs of the Russian Federation issued several vigorous declarations protesting against the holding of the above conference, considering it as a provocative anti-Russian event and in contradiction to the UN Security Council's anti-terrorist Resolution 1373 (see <http://www.mid.ru/>; 28/29/10/02). On 30 October 2002, following an extradition request submitted by the Russian Federation's government, the Danish authorities arrested Mr Akhmed Zakayev (see <http://www.reliefweb.int/>, 31/10/02).

Committee of Ministers

8. Following the hostage taking in Moscow, the Committee of Ministers, meeting in an emergency session, adopted a declaration expressing its solidarity with the victims, the people and the authorities of the Russian Federation (see <http://press.coe.int/>).

9. On 30 October 2002, at the 815th meeting of the Ministers' Deputies, I expressed my relief at the end of the hostage crisis and called on all sides to put a halt to the use of violence against civilians. I also urged the Russian authorities to comply with the Guidelines on Human Rights and the Fight against terrorism, to ensure a balance between the requirements of security and liberty, to abide by the principle of proportionality of any use of force and to protect the right to life. I also welcomed President Putin's appeal not to let inter-ethnic violence flare up. I stated that I would welcome a report of the Russian Federation's government on these issues.

Parliamentary Assembly of the Council of Europe (PACE)

10. On 25 September 2002, following the adoption, by the Parliamentary Assembly, of Recommendation 1580 (2002) calling on the Russian Federation and Georgia to peacefully settle the open conflict, a fact-finding mission went to Moscow, Tbilisi and the Pankisi valley. The report on this fact-finding mission, which took place from 28 October to 2 November 2002, was drawn up by the head of the delegation, Ms Christa Lörcher (Germany, Socialist Group), and presented to the Ad Hoc Committee of the Bureau on the situation in Georgia (see Doc. 9621 Addendum I dated 6 November 2002).

11. On 6 November 2002, the Bureau of the Parliamentary Assembly of the Council of Europe fully endorsed the President's condemnation of the hostage-taking, which took place recently in the Dubrovka theatre in Moscow, and his request addressed to the Russian authorities to provide detailed information on what exactly had happened. It expressed its deepest sympathy and condolences to the families, whose loved ones were among the hostages and lost their lives. The Bureau called for closer co-operation among the security services and anti-terrorist units of the Council of Europe member States in order to prevent further terrorist acts, whether in the Russian Federation or elsewhere in Europe. It also reiterated the importance of the Council of Europe's guidelines on human rights and the fight against terrorism which are aimed to ensure the rule of law and protect the right to life in such crisis situations (see <http://assembly.coe.int>).

European Union

12. On 17 October 2002, on the occasion of an EU-Russia Troika meeting with the Russian Federation's Minister of Foreign Affairs, Mr Igor Ivanov, the Danish Minister for Foreign Affairs, Mr Per Stig Möller underlined that Russian authorities must prosecute effectively the violations of law and human rights perpetrated in Chechnya. (see <http://www.reliefweb.int>; 17/10/02).

13. On 11 November 2002, before the opening of the EU-Russia summit meeting in Brussels, Chechen officials, and in particular Mr Oumar Khanbiev, Chechen Minister of Health, called on the European Union to ask President Putin

to keep the option open for peace talks with Chechen authorities (see <http://www.reliefweb.int>; 11/11/02). After the summit meeting, the Danish Prime Minister, Mr Anders Fogh Rasmussen, EU Presidency in office, expressed concern about the human rights situation in Chechnya and underlined the need for a long-term political solution (see <http://www.um.dk/english/presidency/> on 11/11/02).

14. On 16 October 2002, the European Commission earmarked €20.5 million to cover the most urgent needs of the population affected by the Chechnya conflict. The main aim is to continue providing essential support to internally displaced people (IDPs) and other vulnerable groups in Chechnya itself and to IDPs in neighbouring republics. The funds will be allocated through the Humanitarian Aid Office (ECHO). Since the beginning of the current crisis in autumn 1999, the Commission, through ECHO, has allocated nearly €70 million to operations to the victims of the Chechnya conflict, making the EU the largest donor in the region. The decision aims to cover the priority humanitarian needs of the population affected by the Chechnya conflict throughout the winter and the beginning of spring. It will focus on the distribution of foodstuffs and other non-food items such as new tents, bedding, hygiene and clothes. The funding will also be used to provide medical assistance and psychosocial support for IDPs and other vulnerable people, as well as to improve water and sanitation facilities. Other activities will include mine-awareness training, primary education for IDP children in camps and support for child-friendly spaces for children in Chechnya and Ingushetia. In addition, ECHO will finance UNHCR protection activities designed to guarantee minimum protection and legal advice to IDPs and the population inside Chechnya (see <http://europa.eu.int/comm/echo/en>).

Organisation for Security and Co-operation in Europe (OSCE)

15. The OSCE Assistance Group to Chechnya reported on complaints received about the difficult living conditions and lack of food supplies from IDPs in the temporary accommodation centres in Gudermes and Grozny (OSCE AG Chechnya – Activity Report 15-31 October 2002).

United Nations (UN)

16. From 8 to 11 October 2002, Mr James Morris, the Head of the **UN Food Programme** visited the Russian Federation at the invitation of the Russian Federation's Minister of Foreign Affairs, Mr Igor Ivanov. He also met with representatives of the State Duma and the Head of the Chechen Administration, Mr Akhmad Kadyrov. The main purpose of the visit was to involve the Russian Federation with WFP activities as a donor. (UN Office for the Co-ordination of Humanitarian Affairs (OCHA), Humanitarian action in the North Caucasus information bulletin, 1 – 15 October 2002 on <http://www.ocha.ru>). On 29 October 2002, the UN World Food Programme announced that it would continue in 2003 its emergency food assistance to the over 290,000 refugees and economically vulnerable people in Chechnya and Ingushetia.

17. The **UN High Commissioner for Refugees (UNHCR)** set up a system of legal counselling and monitoring of the protection situation in Ingushetia and a similar system in Chechnya. The UNHCR, in partnership with the Caucasian

Refugee Council and Vesta (their local NGO-partners) verify that the return of the IDPs to Chechnya is voluntary. It refers to the data provided by the Chechen Forced Migrant Committee, a government structure that reported the voluntary return of 343 persons from Ingushetia to Chechnya during the month of October. 197 of these persons registered with the Danish Refugee Council (DRC) to receive assistance in Chechnya after de-registering in Ingushetia. In addition, Vesta monitors population movements between Chechnya and Ingushetia at two checkpoints. UNHCR continues to monitor the situation in IDP camps in Ingushetia. Since 25 October 2002, Russian troops have established a close presence to some of these camps, which has been interpreted by inhabitants of the camps as putting additional pressure on the IDPs to move back to Chechnya. (see UN Office for the Co-ordination of Humanitarian Affairs (OCHA), Humanitarian action in the North Caucasus information bulletin, 1 – 15 and 15 – 31 October 2002 on <http://www.ocha.ru>).

International Committee of the Red Cross (ICRC)

18. On the basis of a series of reviews of the economic and security situation in Chechnya, Dagestan and Ingushetia over 2002, the **International Committee of the Red Cross (ICRC)** started its fourth round of distribution of food and other basic necessities to 86,000 IDPs in Ingushetia. The ICRC has decided to increase its aid to vulnerable persons in the Chechen Republic next year (see <http://www.reliefweb.int> on 10/10/02).

Russian institutions

19. On 30 October 2002, the **Human Rights Ombudsman, Mr Oleg Mironov**, expressed concern about a likely increase in anti-Chechen sentiment and the future activities of the military and security forces. President Putin, on the basis of information submitted by the Ministry of the Interior on anti-Chechen incidents, underlined the need to prevent interethnic injustice (see RFE/RL Newsline on 30/10/02).

20. On 1 November 2002, the **Duma** passed in all three readings an amendment to the law on terrorism authorising the government to refuse to return bodies of persons killed during anti-terrorist operations to their families (see RFE/RL (Un)Civil Societies Vol. 3, No. 45, 6 November 2002). The new provisions also allow the government to refuse to divulge to relatives the place of burial. Corresponding changes in the law on interment and burial were also adopted. After adoption in the Federation Council and endorsement by the President, these provisions will also apply to Chechen militants killed in the hostage crisis in Moscow. On the same day, amendments to the Press Law were adopted curbing media coverage of anti-terrorist operations and banning information and dissemination of statements promoting or justifying extremists' activities (see "RFE/RL Newsline", 1 November). In the context of the ongoing monitoring of freedom of expression in member States, I asked the Russian authorities for clarifications concerning the newly introduced restrictions.

21. On 3 November 2002, **Defence Minister Sergei Ivanov** announced, contrary to earlier statements, the Russian Federation government's decision to

suspend the intended reduction of troops in Chechnya. On 5 November 2002, Reuters and Russian news agencies reported President Putin's instruction to the Federal Security Service (FSB) to devise new approaches to the problem of combating terrorism, warning that large-scale indiscriminate military operations are unnecessary and could prove counterproductive. The Head of the **Chechen Administration, Mr Akhmad Kadyrov**, also underlined that anti-terrorist operation should be well-directed and targeted – as was reported by ITAR TASS agency.

22. On 6 November 2002, the **Ministry of Foreign Affairs** of the Russian Federation issued a statement protesting against the showing of a documentary film about Chechnya on the Czech public service television on the ground that the film was glorifying Chechen terrorism (see <http://www.mid.ru/>; on 6/11/02).

23. According to IWPR and RFE/RL reports, the **Russian government** had asked Chechen offices and centres in several countries to be closed: e.g. Lithuania, Poland, Georgia, Azerbaidjan. (see IWPR Caucasus Reporting Service, N° 153, 31 October 2002 and <http://www.rferl.org/bd/nc/magazine/> on 5 November 2002).

24. With regard to the political process in the aftermath of the hostage crisis, **President Putin** said that the political process for resolving the conflict in Chechnya must be separated from the ongoing campaign against terrorism. He underlined that political power in the republic must be transferred to Chechens as soon as possible. In this respect, the **Minister of the Interior, Mr Boris Gryzlov** signed an Order authorising the creation of a republican Ministry of the Interior (see <http://www.mid.ru/>; on 10/11/02).

25. On 10 November 2002, **Mr Akhmad Kadyrov, the Head of the Chechen Administration, and Mr Gennadi Sleznev, Speaker of the State Duma**, referred to the plans to hold a referendum in Chechnya and to hold elections in March or April 2003 (see <http://www.reliefweb.int> on 11/11/02). According to RIA Novosti, President Vladimir Putin is prepared to speed up the political normalisation process in Chechnya, based on the laws and constitution of Russia. The President emphasised that a peaceful settlement in Chechnya should proceed given the "unquestionable territorial integrity of Russia" and ruled out the possibility of talks with Maskhadov and his lieutenants. In the course of a meeting with a group of public and religious leaders of Chechnya, who had called for the speeding up of the constitutional process in the republic, the President expressed confidence that it is within the framework of the constitutional process that it is necessary to find agreed solutions and enlist new supporters for arranging a peaceful life on Chechen soil. He also expressed his conviction that without a civic stand by participants at the meeting the complex problems of Chechnya would not be solved, nor Chechnya's economy rehabilitated or the refugees returned (see <http://en.rian.ru> on 10/11/02).

Non-governmental organisations

26. On 24 October 2002, the **International Helsinki Federation for Human Rights** (IHF) condemned the mass hostage taking in Moscow and cautioned the Russian government and authorities against a backlash directed against ethnic

Chechens and persons from the Caucasus in general. The IHF called upon Russian forces in Chechnya to abide by international human rights and humanitarian law, to refrain from further attacks on civilians and to fulfil their obligations including to investigate and prosecute all incidents of human rights violations (see <http://www.ihf-hr.org/>).

27. In the context of the extradition proceedings against Akhmed Zakayev, the International Helsinki Federation for Human Rights (IHF) has appointed the chair of the **Danish Helsinki Committee, Mr. Ole Espersen**, Professor of Law at Copenhagen University and a former Minister of Justice, to act as its observer. The IHF has taken this decision out of concern that the proceedings may be subject to undue political pressure. The IHF called on the Danish authorities to ensure that these proceedings are conducted in a fair and open manner (see <http://www.ihf-hr.org/> on 1/11/02).

28. On 29 October 2002, **Amnesty International** (AI) launched its worldwide campaign focussing on the human rights situation in Russia and highlighting an alleged discrepancy between the human rights protection which those living in Russia have in international and national law, and the reality of widespread human rights abuses committed in a climate of impunity ((see <http://www.amnesty.org/russia/>). The recommendations addressed by AI to the government of the Russian Federation can be found in the Appendix 1 to the present document.

29. On 1 November 2002, **Human Rights Watch** (HRW) Director, Ms Elizabeth Andersen, and Brussels Director, Ms Lotte Leicht, addressed an open letter to the EU Heads of State and Government, the EU Foreign Ministers, the High Representative for External Affairs, Mr Solana, the EC President, Mr Prodi and Commissioners Patten and Lamy in the context of the forthcoming EU summit meeting with the Russian Federation on 11 November 2002. In this letter they expressed their hope that in the EU's dialogue with the Russian leadership, European leaders would call for the release of Grigorii Pasko, who in 2001 was sentenced to four years in a maximum-security prison on allegedly groundless charges of espionage, and would emphasize that widespread infringements of the media freedom and arbitrariness of security agencies are antithetical to a government that strives to position itself in the international arena as free and democratic (see <http://www.hrw.org/>, 1/11/02). The detailed HRW requests are reproduced in Appendix 2 of the present document.

30. During October, the **People in Need Foundation** (PINF) continued to focus on the Temporary Accommodation Centres (TACs) in Chechnya where IDPs from Ingushetia and northern Chechnya were resettled. New TACs were prepared at the same time in Ingushetia for IDPs currently staying in big tented camps. According to continuous assessments made by the UNHCR, the vast majority of the TACs are still inappropriate. (see <http://www.reliefweb.int> on 31/10/02).

31. A recent report drawn up by the **Global IDP Database of the Norwegian Refugee Council** (NRC) in Geneva established that approximately 300,000 persons are currently displaced and fleeing from the conflict in Chechnya. Mr Raymond Johansen, Secretary General of the NRC, underlined that most of these people depend on aid and food distribution. They are in very poor health, mostly

due to malnutrition and poor hygiene. In this group, there are alarmingly high rates of tuberculosis, Hepatitis A and HIV (see <http://www.nrc.no/engindex.htm>, 30/10/02).

APPENDIX 1

Amnesty International's recommendations to the Russian Federation Government to address human rights violations in the Russian Federation in the context of the campaign launched on 29 October 2002

Amnesty International believes that the following measures would radically improve the protection of human rights in the Russian Federation. It calls on the Russian authorities to:

1. Show a clear political commitment to promote and protect fundamental human rights for everybody and to give an unequivocal message that violations of these rights will not be tolerated.
2. Take immediate and concrete steps towards the abolition of the death penalty in law and ratify Protocols No. 6 and 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.
3. Institute training and monitoring programs to ensure that law enforcement and other officials do not act in a discriminatory way towards people on the basis of their gender, sexual orientation, ethnic or national origin or any other aspects of their identity or status.
4. Make domestic violence a distinct criminal offence, and introduce training for law enforcement officials to recognize and prosecute violence against women, including domestic violence and trafficking of women.
5. Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, granting authority to the Committee on the Elimination of Discrimination against Women (CEDAW) to examine complaints by individuals and groups.
6. Ensure that children are deprived of their liberty only as a measure of last resort and for the shortest appropriate time.
7. Review legislation and regulations at federal and regional levels with the aim of removing all elements of the passport and registration system (formerly known as the "propiska" system), which serve as a basis for systematic discrimination.
8. Ensure that crimes that are racially motivated are classified and prosecuted as such.
9. Establish national laws and procedures consistent with the Organization for Security and Co-operation in Europe (OSCE) Principles Governing Conventional Arms Transfers (agreed in November 1993) to prevent exports of arms and security equipment and technology where there is a danger that those exports will be used for serious violations of international human rights and humanitarian law.

Torture and ill-treatment

10. Adopt a law which specifically criminalizes torture and ill-treatment in line with international human rights standards - including Article 1 of the Convention against Torture - and which provides for penalties that take into account the grave nature of these offences.

11. Implement in practice the prohibition of coercion under Article 302 of the Criminal Code and ensure that Article 9 of the new Criminal Procedure Code (CPC), which prohibits anyone involved in criminal proceedings from being subjected to violence, torture or other cruel, inhuman or degrading treatment, is respected.
12. Ensure that prompt, impartial, independent and thorough investigations of complaints of torture are carried out and that the perpetrators are brought to justice in line with international human rights standards.
13. Establish an independent body with powers, including the power to subpoena witnesses, to investigate and prosecute acts of torture and ill-treatment by officials or that occur as a result of the acquiescence, instigation or consent of officials.
14. Ensure that all law enforcement personnel are trained in international law on the prohibition of torture and ill-treatment in all circumstances and are informed of the criminal liability that the use of torture and ill-treatment entails, regardless of rank.
15. Ensure that all detainees are guaranteed prompt access to a lawyer following arrest, as stipulated in the Russian Constitution. This right should be extended to anyone summoned to a police station as a witness who is then questioned as a possible suspect.
16. Ensure that all evidence, including statements, admitted in any proceedings have been lawfully obtained.
17. Ensure that all detainees who allege that they were subjected to torture or ill-treatment are examined as a matter of routine by qualified and independent medical personnel for physical and psychological signs of torture.
18. Ensure that health care professionals at official treatment centres are trained in the recognition and treatment of injuries, including psychological, relating to torture and ill-treatment.
19. Amend the new CPC to ensure that medical reports from all qualified medical personnel are accepted as evidence in cases relating to allegations of torture and ill-treatment.
20. Ensure that female security personnel are present during the interrogation of women detainees and are solely responsible for conducting body searches of women detainees. There should be no contact between male guards and female prisoners without the presence of a female guard.
21. Include gender-specific information in programs to educate, inform and train relevant officials regarding the prohibition of torture.
22. Ensure that victims of human rights violations, including torture and ill-treatment, have access to reparation, including compensation, medical care and rehabilitation.
23. Introduce training for all law enforcement officials and members of the security forces on the special needs and rights of children, as set out in the Convention on the Rights of the Child.
24. Urgently address the causes of overcrowding in detention, particularly in pre-trial detention facilities, including through the implementation of new provisions under the new CPC that place greater emphasis on alternatives to pre-trial detention.

25. Authorize, without delay, publication of all reports of European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) visits to the Russian Federation, and translate and disseminate them widely in all relevant languages. Take all necessary measures to implement the recommendations of the CPT without delay.

26. Take all other measures necessary to prevent and punish torture including those set out in Amnesty International's 12-Point Program for the Prevention of Torture by Agents of the State.

Chechnya

Amnesty International calls on the government of the Russian Federation to implement the following recommendations in relation to the conduct of its forces in Chechnya:

27. Take urgent steps to ensure that civilians are protected at all times from the impact of security force operations.

28. Hold comprehensive and impartial investigations into allegations of violations of international human rights and humanitarian law, including war crimes, and bring those responsible to justice in accordance with international standards.

29. Ensure that all victims of violations of international human rights and humanitarian law have access to a system of effective redress and an enforceable right to fair and adequate reparation.

30. Take steps to build confidence between the civilian population and the authorities, including the appointment of trained, experienced and qualified mixed-gender teams of investigators and prosecutors to investigate allegations of torture involving sexual violence and rape against the civilian population.

31. Revise the training, disciplinary procedures and rules of engagement for the security forces, to prevent human rights violations.

32. Ensure that Order 80 and Decree 46 are expanded to cover all Russian security forces, including federal soldiers, involved in carrying out raids and that appropriate measures are taken against those who violate them.

33. Make available regularly up-to-date lists of all members of the Russian security forces charged and prosecuted for human rights violations committed in Chechnya, which should include specific information on who has been charged with what crime. The list should also include information on the status of all investigations into and prosecutions in connection with violations of international human rights and humanitarian law in Chechnya.

34. Take all other measures necessary to prevent and punish torture including those set out in Amnesty International's 12-Point Program for the Prevention of Torture by Agents of the State.

35. Carry out autopsies where there are grounds to believe the person may have died as a result of torture or extrajudicial execution, in order to determine the cause of death, whether injuries occurred prior to death and - where necessary - to establish the identity of the deceased.

36. Extend an invitation to and arrange without delay dates for visits of the UN Special Rapporteur on torture and the UN Special Rapporteur on extrajudicial, summary or arbitrary executions. Grant unrestricted access to Chechnya to independent media and human rights monitors, including from international organizations.

37. Ensure that all those held in custody are treated humanely with respect for the inherent dignity of the human person and are held in conditions which at least meet minimum international standards.

38. Make public the names and whereabouts of all persons deprived of their liberty and the charges brought against them, including those detained at border crossings and other checkpoints, in police stations, temporary detention facilities and on the premises of Russian military bases.

39. Take all other measures necessary to prevent "disappearances" including those set out in Amnesty International's 14-Point Program for the Prevention of "Disappearances" .

40. Ensure full and appropriate access to detainees by the International Committee of the Red Cross.

41. Provide adequate protection and humanitarian assistance, in accordance with principles of humanity and impartiality, to Chechen internally displaced people (IDPs) and other civilians in Chechnya in accordance with the UN Guiding Principles on Internal Displacement and other applicable international standards. Stop attempts to forcibly return Chechen IDPs back to Chechnya until they can return voluntarily, in safety and with dignity, to their place of origin or choice.

Amnesty International calls on the Chechen armed opposition groups to implement the following recommendations:

42. Take steps to ensure that all fighters fully respect the requirements of international humanitarian law, in particular those protecting civilians and captured combatants.

43. Ensure full and appropriate access to detainees by the International Committee of the Red Cross.

44. Protect and facilitate the operations of any humanitarian agency or human rights organization present in or seeking access to territory under the control of Chechen forces.

International community

Amnesty International calls on the international community to:

45. Expose and condemn human rights violations, such as torture and ill-treatment, committed by Russian law enforcement officials.

46. Condemn human rights abuses and violations of international humanitarian law committed by Russian security forces and Chechen forces in Chechnya.

47. Urge and, if necessary, assist the authorities to ensure that all those responsible for abuses of human rights or international humanitarian law are brought to justice before independent impartial courts established by law and in proceedings which meet international standards of fairness, and take measures to facilitate such proceedings.

48. Put pressure on the Russian authorities vigorously to investigate and prosecute in fair trials the perpetrators of these violations and to abide by their international obligations to promote and protect human rights for everybody.

49. Ensure the enactment of legislation providing for universal jurisdiction over crimes under international law including crimes against humanity; war crimes; genocide; torture, including rape; "disappearances" and extrajudicial executions, and exercise such jurisdiction whenever cases arise.

50. Ensure that people who have fled the conflict are not returned to Chechnya or other parts of the Russian Federation unless and until their safe and durable return with dignity is assured.

APPENDIX 2

Extract from the open letter addressed by Human Rights Watch to E.U. Heads of State and Government, E.U. Foreign Ministers, High Representative Javier Solana, Commission President Romano Prodi, Commissioners Chris Patten and Pascal Lamy

"With regard to Chechnya, we respectfully ask that the E.U. urge President Putin to:

- Provide firm and reliable guarantees that internally displaced persons and refugees will not be pressured to return to Chechnya while threats to life and security prevail, and that their basic humanitarian needs will be met in Ingushetia.
- Demonstrate genuine commitment to accountability by instructing the government to provide the international community, including the E.U., with an updated, comprehensive, and detailed list of criminal investigations into abuses committed by federal forces against civilians in Chechnya.
- Instruct the government to issue long-overdue invitations to the U.N. Special Rapporteurs on torture and extrajudicial executions, and the Working Groups on Arbitrary Detention and Enforced or Involuntary Disappearances, and commit to a firm schedule for a visit by the Special Rapporteur on violence against women and the Representative of the Secretary General on internally displaced persons.
- Instruct the government to allow unrestricted access into Chechnya for journalists and human rights groups.

Should the Russian government fail to cooperate on the above points, we sincerely hope that the E.U. will be prepared to use the upcoming U.N. Commission on Human Rights to make clear that it is not prepared to bargain on human rights, the recent events in Moscow notwithstanding. The E.U. could play a critical role in urging the Russian government's respect for human rights, while a failure to seek specific improvements in human rights would leave unchallenged the Russian interpretation of the new international environment as a carte blanche for continued abuses in Chechnya. As the E.U. draws closer to Russia, in solidarity following the Moscow hostage crisis, the choices it makes on Chechnya will be of long-lasting consequence."