

Information Documents

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Addendum to the Twenty-First 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 information on the situation of democracy, human rights and the rule of law in the Chechen Republic, Russian Federation, mainly for the period of 11 July to 31 August 2002 (see decision of the Ministers' Deputies of 10 October 2000, CM/Del/Dec(2000)725, item 1.7).¹ This document consists of two parts: information on the situation in the Chechen Republic (**Part I**), as well as the main recommendations and appeals made by Council of Europe bodies, international and non-governmental organisations, and Russian institutions made during the period in question (**Part II**)².

2. As explained in my report, President Putin appointed Mr Abdul-Khakim Sultygov as his new Special Representative for ensuring Human Rights and Civil Rights and Freedoms in the Chechen Republic on 12 July 2002. (See, in this connection, speech of the Committee of Ministers Chairman, Ms Polfer, before the Parliamentary Assembly, 25.6.2002). Prior to his appointment, Mr Sultygov was Secretary of the Parliamentary Assembly-Russian State Duma Joint Working Group on Chechnya as well as Secretary of the State Duma Commission on Chechnya.

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

3. Two developments of a general nature deserve mention: the escalation of tension between the Russian Federation and Georgia with regard to border incidents and operations taking place in the Pankisi Valley (see, in this connection, my own Declaration on 29 August 2002 on [http://press.coe.int/cp/2002/410a\(2002\).htm](http://press.coe.int/cp/2002/410a(2002).htm) and the EU Presidency Declarations dated 12 August and 29 August 2002, (<http://www.eu2002.dk/news/>) as well as the suspension of humanitarian aid activities by UN organisations and some NGOs active in the area following new abductions (see below paras 7 to 10).

Parliamentary Assembly of the Council of Europe (PACE)

4. The Parliamentary Assembly-Russian State Duma Joint Working Group on Chechnya (JWG) met in Moscow from 10 - 12 July 2002. Lord Frank Judd, Co-chairman of the JWG, reiterated the need to complete the Prosecutor's investigations of mass graves in Novye Aldy, Chernoreche, Khankala and Alkhan-Yurt. The JWG's visit to Chechnya and Ingushetia, which had to be postponed due to flooding in the region, took place on 3 and 4 September 2002. In Grozny, the delegation met members of the Chechen Administration, judges, NGOs as well as returned refugees and internally displaced persons. On 5 September 2002 in Moscow, the delegation participated in a meeting of the Consultative Council, set up under the auspices of the JWG and committed to finding a peaceful solution to the conflict.

¹ The periods 23 May to 17 June 2002 and 18 June to 10 July 2002 are covered in the documents SG/Inf(2002)24 Addendum dated 19 June 2002 and SG/Inf(2002)24 Addendum II dated 16 July 2002.

² 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](http://www.coe.int/cm), also on the Committee of Ministers Web Site: <http://www.coe.int/cm>.

Council of Europe Commissioner for Human Rights (CommDH)

5. On the occasion of his recent visit to Moscow on 22 July 2002, the Commissioner for Human Rights met the newly appointed Special Representative for ensuring Human Rights and Civil Rights and Freedoms in the Chechen Republic, Mr Sultygov, and once more underlined the urgent necessity to address certain shortcomings in the law and practice of the Russian Federation concerning compliance with human rights as embodied in the instruments of the Council of Europe in the Chechen Republic. In a talk given at the Moscow Academy of Political Science, he also expressed his concern regarding the ongoing violations of civilians' rights in Chechnya, as well as the deteriorating material conditions in various IDP camps, and reaffirmed the principle of the voluntary return of refugees and IDPs (Radio Free Europe, 22 July 2002; <http://www.rferl.org/nca/features/2002/07/22072002162348.asp>).

Organisation for Security and Co-operation in Europe

6. As reported by the OSCE Assistance Group to Chechnya, four bombs had been dropped on the village of Alkhazurovo in the Urus Martan region, approx. 30 kilometres from Grozny. (OSCE AG Chechnya, Spot Report dated 23 July 2002).

United Nations (UN)

7. The UN suspended its operations in Chechnya for an indefinite period as of 27 July 2002 following the abduction of a local staff member of a UNICEF partner NGO, "Druzhba", an organisation carrying out educational and psychosocial programmes for children affected by the consequences of the situation in Chechnya. The suspension affects all non-lifesaving humanitarian activities with the exception of provision of water and removal of sewage in Grozny. The suspension was also valid for two days in the Republic of Ingushetia, where Druzhba is based. (UN Office for the Co-ordination of Humanitarian Affairs (OCHA), Humanitarian action in the North Caucasus information bulletin, 1 – 31 July 2002 on <http://www.ocha.ru>).

8. The UNICEF Representative, Mrs Rosemary McCreery, in her function as UN **Humanitarian Coordinator**, paid another visit to the newly opened Temporary Accommodation Centres (TACs) in Grozny in order to gain an update on the humanitarian situation in the facilities which are now close to their maximum capacities. She reiterated her serious concern about the absence of running water and the lack of sufficient sanitary conditions. (UNICEF Humanitarian Assistance in the Northern Caucasus, Situation report No. 47, 9 August 2002 on <http://www.ocha.ru>).

9. The UN **Emergency Relief Coordinator**, Mr Kenzo Oshima, expressed alarm over the circumstances surrounding the recent closures of two camps hosting more than 2,000 internally displaced persons in Znamenskoye and their transfer to TACs in Grozny. Reports from the region indicate that some of the IDPs were very concerned about the security situation in Grozny and that living conditions in the TACs were unsatisfactory. Mr Oshima called upon the Russian authorities to ensure that action is taken to preserve the right of the internally displaced to a voluntary return, in safety and dignity, and to comply with the assurances given to the United Nations in this matter (UN Office for the Co-ordination of Humanitarian Affairs (OCHA), Humanitarian action in the North Caucasus information bulletin, 1 – 31 July 2002 on <http://www.ocha.ru>).

10. The **UNHCR** registered 2,100 returns from and 200 new arrivals to Ingushetia in July. The UNHCR reported on the closure of the office of the Chechen visa and passport service in Sleptovskaja (Ingushetia) as of 25 July. The office provided various passport services to IDPs. Following concern voiced by representatives of the international community, the Head of the Chechen passport and visa service in Grozny declared that the office would be reopened in due course. After 31 July, no returns of IDPs from Ingushetia to Chechnya had been conducted by the Chechen Committee on IDPs as all TACs in Chechnya were full. (UNICEF Humanitarian Assistance in the Northern Caucasus, Situation report No. 47, 9 August 2002 on <http://www.ocha.ru>).

Russian institutions

11. On 5 August 2002, the **Constitutional Commission of the Chechen Republic** approved the final draft of a new Constitution of the Republic. For more details, see paras 9 and 10 of my report SG/Inf (2002) 33.

12. On 13 August 2002 in Moscow, the **Minister of the Russian Federation in charge of reconstruction of Chechnya, Mr Vladimir Yelagin**, invited representatives of the United Nations, the International Committee of the Red Cross (ICRC), and NGOs to discuss with the Head of the Federal Migration Service, as well as with the Special Representative of the Chechen Government in Moscow, the current situation of IDPs in Chechnya and Ingushetia and the international community's involvement in the Federal Migration Service's special group for IDPs. The Minister expressed his deep concern over recent abductions and assured that the law enforcement bodies were investigating these incidents. During this meeting, note was taken of the inadequate conditions in TACs in Chechnya; also, the importance of the principle of voluntary return was underlined by a number of participants (UN Office for the Co-ordination of Humanitarian Affairs (OCHA), Humanitarian action in the North Caucasus information bulletin, 1 – 15 August 2002).

13. According to the **Prosecutor of the Chechen Republic, Mr Nikolai Kostyuchenko**, 40 criminal proceedings have been introduced against members of the Chechen police force since January 2002.

14. According to Russian news agencies, as well as other international sources, increased military activity was noticed at the end of July and during the month of August. Residents of villages in the areas where clashes occurred fled to Ingushetia (Gekhi-Chu and Shalazhi in Urus Martan) (Radio Free Europe, 19 August 2002 – chechenpress.com on 17 August 2002).

15. Media reported a meeting between Mr Akhmed Zakayev, the official envoy of Mr Asla Maskhadov, and the former Secretary General of the Russian Security Council and current President of the Unified Socialist Party, Mr Ivan Rybkin, in Switzerland, with a view to discussing Mr Zakayev's proposals on the termination of the conflict. Mr Rybkin indicated that he would inform President Putin about these talks (Radio Free Europe, 16 August 2002).

Non-governmental organisations

16. According to documentation collected by **Human Rights Centre "Memorial"** and other human rights organisations, the number of "disappeared" Chechens in recent months has increased. They also claim that on average between 50 to 80 bodies of "disappeared" persons are recovered per month. (Reported by International Helsinki Federation for Human Rights, 23.7.2002; <http://www.ihf-hr.org/appeals/020723.htm>). On 12 July 2002,

"Memorial" announced the decision of the local NGOs participating in the **Permanent Council for the protection of human rights in Chechnya**, which comprises representatives of relevant public authorities and local NGOs, to withdraw from it due to their disappointment with the results of the Council's work. (see on <http://www.memo.ru>).

17. According to testimonies collected in IDP camps in Ingushetia by an **International Helsinki Federation mission**, the IHF denounced a "pattern of increasing disappearances bordering on genocide". (International Helsinki Federation for Human Rights, 23.7.2002; <http://www.ihf-hr.org/appeals/020723.htm>). According to the same source, Order No. 80 issued by General Moltenskoi establishing clear rules for this type of operation is persistently ignored and perpetrators are not identified and brought to justice. The process of accountability regarding abuses against the civilian population remained, so it is alleged, almost totally ineffective. Residents of Chechnya informed the IHF mission that judges were unwilling to consider claims against military servicemen.

18. In response to the 12 August 2002 abduction of Mr Arjan Erkel, Head of the MSF mission in Dagestan, **Médecins Sans Frontières (MSF)** - joined by the international aid community at large - strongly condemned this incident. MSF urged whoever was holding Mr Erkel to respect his physical and mental integrity and to release him unharmed. (MSF Press Release dated 20 August 2002 on <http://www.msf.org/>. The **International Committee of the Red Cross** also publicly voiced its solidarity with the abducted aid worker. Following the example of the UN organisations, MSF decided to discontinue its activities in Chechnya and to suspend its operations in Dagestan and Ingushetia. (UN Office for the Co-ordination of Humanitarian Affairs (OCHA), Humanitarian action in the North Caucasus information bulletin, 1 – 31 July 2002). Action Against Hunger followed on 20 August 2002 (Press release dated 20 August 2002 on <http://www.aah-usa.org/>).

19. In an open letter dated 30 July addressed to the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Co-ordinator of the UN, Mr Kenzo Oshima, MSF denounced the deteriorating conditions in IDP camps in Ingushetia and Chechnya and the plans to close down all tent camps in Ingushetia and repatriate IDPs, as confirmed by the Head of the Chechen government, Mr Stanislav Ilyasov, in a press conference on 11 July. (MSF, 30 July 2002 on <http://www.reliefweb.int/>). The **"Prague Watchdog"** also reported on worsening conditions in IDP camps due to water and electricity cuts and the reduction in relief aid of humanitarian organisations, which has led to a steep rise in the number of infectious diseases among IDPs (9 August 2002 on <http://www.watchdog.cz>).

20. Similar concerns were expressed by the **People in Need Foundation (PINF)** in its July 2002 report (to be published on <http://www.pinf.cz>). PINF also indicated in the above report that, due to increased military activities in various parts of Chechnya in July/August, the overall security situation in Chechnya has deteriorated, leading to a renewed exodus of IDPs to Ingushetia.

21. In a report issued on 31 July, **Médecins du monde** stated that the great majority of the approximately 150,000 IDPs in Ingushetia refuse to return to Chechnya, despite increasing psychological pressure for them to do so, due to security concerns in relation with ongoing mop-up operations (MdM, 31 July 2002 on <http://www.reliefweb.int/>).

II. Main recommendations and appeals made by the Council of Europe bodies, international and non-governmental organisations, as well as by Russian institution concerning the situation in the Chechen Republic (11 July 2002 – 31 August 2002)

Detailed recommendations were newly formulated or reiterated in the following documents:

- Appeal launched by the IHF on 23 July 2002 subsequent to a mission to Chechnya and Ingushetia (see on <http://www.ihf-hr.org/appeals/020723.htm>;
- Open letter by MSF to the Head of the Organisation for the Coordination of Humanitarian Affairs (OCHA) on 30 July 2002 (see on <http://www.reliefweb.int/>);
- Appeal launched by the Norwegian Refugee Council on 20 August 2002 subsequent to recent abductions (see on <http://www.reliefweb.int/>).

To the international community (including UN, OSCE and CoE)

- to reinforce their involvement towards the safeguard of humanitarian and human rights values in the North Caucasus (*Norwegian Refugee Council*).

To the United Nations

- to take concrete action to ensure that the basic rights and needs of the Chechen people are met (*MSF*);
- to deliver adequate and continued assistance to displaced Chechen people in Ingushetia in proportion to their needs (*MSF*);
- to defend the fundamental right of Chechen people to seek refuge and to remain in Ingushetia (*MSF*);
- to prevent any forced displacement of persons to Chechnya, in conformity with international humanitarian law (*MSF*);
- to reinforce the protection of displaced persons from Chechnya through the provision of an adequate number of international protection officers in Ingushetia and Chechnya (*MSF*);
- to provide accurate information directly to the displaced Chechen people about conditions in Chechnya, their options and the position of the UN (*MSF*);
- to correct erroneous and/or misleading information on UN assistance provided to Chechnya which was circulating in IDP camps (*MSF*).

To the Russian authorities

- to order military and security forces immediately to cease any further actions that threaten the security of civilians in Chechnya (*IHFHR*);
- to ensure that human rights violations be fully investigated and prosecuted in accordance with Russian law and international standards (*IHFHR*);

- to work swiftly towards the release of all abducted humanitarian workers and local residents (*Norwegian Refugee Council*);
- to create conditions enabling humanitarian and human rights organisation to provide indispensable assistance to the civilians in the region (*Norwegian Refugee Council*);
- to ensure that all military and civilian officials in the region perform their duties in strict compliance with Russia's humanitarian and human rights obligations (*Norwegian Refugee Council*).