Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 10412
22 January 2005

The political situation in the Chechen Republic: measures to increase democratic stability in accordance with Council of Europe standards

Reply to Recommendation[1]: Recommendation 1678 (2004)
Committee of Ministers

1. The Committee of Ministers has examined with close attention Recommendations 1678 (2004) and 1679 (2004) of the Parliamentary Assembly relating respectively to the political situation in the Chechen Republic: measures to increase democratic stability in accordance with Council of Europe standards and to the human rights situation in the Chechen Republic and has brought them to the attention of the governments of member states.

2. The Committee of Ministers recalls its long-standing view that there can be no alternative to a political solution in the Chechen Republic of the Russian Federation. It also recalls its unequivocal and resolute condemnation of all acts of terrorism and indeed of terrorism as such.

3. In line with the suggestions made by the Parliamentary Assembly, the Committee of Ministers has continuously analysed the effectiveness of the co-operation programmes with the Russian Federation concerning the Chechen Republic with a view to adapting them to developing needs. As a result, a new form of co-operation based on concrete programmes was launched in 2004.

4. A first series of activities were implemented in 2004. They focused on training in electoral matters, human rights and the development of civil society and their aims broadly correspond to those listed in paragraph 2.ii.*a* to *g* of Recommendation 1678 (2004). Thanks to a voluntary financial contribution from the Government of Japan, a Council of Europe human rights library will soon be opened in the Chechen State University in Grozny.

5. The same considerations inspire the programme of co-operation activities between the Council of Europe and the Russian Federation in the Chechen Republic in 2005 (Document DGAP/Inf(2005)1 of 12 January2005, which is at the Assembly's disposal). The new programme was prepared in full co-operation with the authorities of the Russian Federation, including in particular the Chechen Republic, and adapted to their current needs. A total sum of €561 400 has been allocated for the implementation of these co-operation activities in the Council of Europe budget for 2005.

6. While these already agreed and fully funded co-operation activities for 2005 constitute a new step forward, the Committee of Ministers is deeply aware that more is needed to help the competent authorities of the Russian Federation, including the Chechen Republic, taking new initiatives aimed at significantly improving the human rights situation in Chechnya, which remains a cause of deep concern.

1. Joint reply to Parliamentary Assembly Recommendation 1678 (2004) and to Parliamentary Assembly Recommendation 1679 (2004), adopted by the Committee of Ministers on 19 January 2005, at the 912th meeting of the Ministers' Deputies.

7. The Committee of Ministers welcomes in this respect the readiness of the competent authorities of the Russian Federation, including in particular the President of the Chechen Republic, the ombudsman of the Russian Federation and the deputy general prosecutor of the Russian Federation, to work more closely with the Council of Europe Commissioner for Human Rights. This will cover the areas identified in the conclusions adopted at the conference on the respect for human rights in the Chechen Republic organised by the Commissioner for Human Rights in Grozny in September 2004, including in particular combating impunity and seriously tackling the issue of disappearances, two questions to which the Committee of Ministers itself attaches great importance and on which it hopes that significant progress will be made.

8. As a first consequence of that conference, President Alkhanov appointed a provisional human rights ombudsman of the Chechen Republic. In a letter of 10 December 2004 addressed to the Secretary General and to the Commissioner for Human Rights, the President of the Chechen Republic requested specific assistance in developing the institution of the ombudsman. He also asked for co-operation in the following areas: the search for abducted and missing persons, the training for law enforcement officers on methods of work against impunity for human rights violations, social rehabilitation, and improving the image of the Chechen people.

9. The list of items suggested by President Alkhanov is currently being studied by the Secretary General who is expected to make proposals in reply in the coming weeks. It is hoped that most of President Alkhanov's requests will be met in the framework of a supplement to the already agreed programme of co-operation for 2005 mentioned in paragraph 5 of this reply. Member states might be invited to provide voluntary contributions for this purpose.

10. The Committee of Ministers has expressed its broad support in principle for additional measures in the areas of human rights protection in talks with President Alkhanov, President Zyazikov of the Ingush Republic and deputy general prosecutor Fridinsky on 8 October 2004. It has continued its examination of such possible measures in discussions with the Council of Europe Commissioner for Human Rights on 3 November 2004 as well as with Mr Lukin, Commissioner on Human Rights (ombudsman) of the Russian Federation, and Mr Khasuyev, Commissioner for Human Rights *ad interim* of the Chechen Republic, on 14 January 2005.

11. The Committee of Ministers will naturally continue to follow developments of the situation. To that end, it intends to regularly review the implementation of all Council of Europe co-operation activities with respect to the Chechen Republic, with a view to assessing their impact and considering possible re-adjustments to current needs. In the course of this review and of the ongoing dialogue with the Russian Government, assessments and recommendations made by all relevant bodies and mechanisms of the Council of Europe will be taken into consideration.

12. The Committee of Ministers has specifically brought to the attention of member and observer governments the Assembly's call to work towards stopping the proliferation of weapons and arms in the Chechen Republic and to assist the competent authorities in collecting and destroying land mines in Chechnya.

13. Finally, the Committee of Ministers shares the concern expressed by the Parliamentary Assembly in the recommendation concerning the issue of corruption. In this connection, the Committee of Ministers wishes to recall that the Group of States against Corruption (GRECO), whose membership currently stands at thirty-eight, has been established with a view to improving the capacity of its members to fight corruption by assisting them in their compliance with relevant Council of Europe standards (for example, Resolution (97) 24 on the twenty guiding principles for the fight against corruption and the Criminal Law Convention on Corruption, ETS No. 173) through the necessary legislative, institutional and practical reforms.

14. The Committee of Ministers therefore calls on the Russian Federation to join GRECO as soon as possible and to sign and ratify the Criminal Law Convention on Corruption.