



Recommendation 1444 (2000)¹

The conflict in Chechnya

Parliamentary Assembly

1. The Assembly recalls its [Resolution 1201 \(1999\)](#) of 4 November 1999 on the conflict in Chechnya calling on the Russian Federation to avoid military raids against the civil population, to introduce a cease-fire and to start a peaceful dialogue with the elected Chechen authorities, as well as requesting that persons guilty of terrorist acts, human rights violations and abductions be prosecuted and all hostages be immediately liberated.
2. It also recalls the declaration of the Parliamentary Assembly's Bureau on the situation in Chechnya of 13 December 1999 according to which "persistence in violations could lead the Parliamentary Assembly to put under question Russian participation in the Assembly's work and in the Council of Europe in general" and takes note of the findings of its delegation during its recent visit to Moscow, Dagestan, Chechnya and Ingushetia (16-20 January 2000).
3. Upon admission in 1996, the Russian Federation committed itself to settle internal as well as international disputes by peaceful means and to respect strictly the provisions of international humanitarian law, including cases of armed conflict on its territory.
4. As a member of the Council of Europe, the Russian Federation is obliged to ensure respect of the European Convention on Human Rights as well as the rule of law and democratic principles on the whole of its territory, including Chechnya.
5. The Assembly recognises the right of the Russian Federation to preserve its territorial integrity, to fight terrorism and crime and to protect its population, including the population of Chechnya and neighbouring republics and regions, from terrorist attacks and acts of banditism. The Assembly confirms its strong condemnation of all acts of terrorism, kidnappings, public executions and human rights violations committed in Chechnya.
6. Nevertheless, it stresses that the means used to achieve such goals must be in accordance with the international commitments of the Russian Federation and must exclude, in particular, indiscriminate and disproportionate use of force affecting the civilian population.
7. The Assembly condemns, as totally unacceptable, the current conduct of military operations in Chechnya with its tragic consequences for large numbers of the civil population of this republic. As a result of this indiscriminate and disproportionate use of force, innocent non-combatants in Chechnya are suffering most serious violations of such fundamental human rights as the right to life, the right to liberty and the right to security.
8. The Russian Federation is thus found to be violating some of her most important obligations under both the European Convention on Human Rights and international humanitarian law, as well as the commitments she entered into upon accession to the Council of Europe.

1. Assembly debate on 27 January 2000 (6th and 7th Sittings) (see [Doc. 8630](#), report of the Political Affairs Committee, rapporteur: Lord Judd; [Doc. 8631](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Bindig; and [Doc. 8632](#), opinion of the Committee on Migration, Refugees and Demography, rapporteur: Mr Iwinski). Text adopted by the Assembly on 27 January 2000 (7th Sitting).



9. The Assembly considers that the military operations of the Russian federal forces in Chechnya violate the rule of law, since the scale of these operations is not covered by the law on the fight against organised crime; as no emergency situation has been declared, these operations are arbitrary and not regulated by law.
10. The Assembly regrets that during the period 1996 to 1999 the Chechen leadership was unable to ensure the rule of law and respect for fundamental human rights and individual freedoms in Chechnya.
11. The Assembly demands that the Chechen side introduce an immediate and complete cease-fire and urges the Chechen elected representatives to ensure the release of all hostages, to stop all acts of terrorism and violence emanating from the Chechen side and to bring to justice the authors of these acts, as well as to ensure the respect of democratic standards on the territories under their control.
12. The Assembly reiterates its support for all efforts aimed at restoring the rule of law and respect for democratic principles in Chechnya as well as the social and economic structures of this republic, as long as they are in accordance with internationally accepted norms and standards.
13. The Assembly recognises the deep-rooted historical origins of the conflict and is convinced that a lasting and viable solution can only be based on the rejection of violence and the consent of both a convincing majority of the people and all the key parties to the conflict.
14. The Assembly notes with some satisfaction that the acting President of the Russian Federation, Mr Vladimir Putin, has accepted the proposal for a Council of Europe presence in the region. Its objective should be to monitor, in co-operation with the Russian authorities, the human rights and the humanitarian situation and to make proposals in this regard.
15. It also welcomes the willingness of the Russian Federation to co-operate with the Council of Europe in the solution of this conflict and to take into consideration the proposals of the Organisation in this regard.
16. The Assembly calls on the Russian Federation:
 - 16.1. to introduce an immediate and complete cease-fire and, in particular, to stop immediately all indiscriminate and disproportionate military action in Chechnya, including use of young conscripts, and to cease all attacks against the civilian population ;
 - 16.2. to start immediately a political dialogue, without preconditions, with the elected Chechen authorities, with the objective of securing a complete cease-fire and achieving a comprehensive political solution to the conflict;
 - 16.3. to allow those wishing to leave Chechnya to do so in full security and dignity, regardless of their sex or age, and to ensure that they subsequently receive proper protection and support;
 - 16.4. to refrain from any forced repatriations to Chechnya;
 - 16.5. to respect strictly the fundamental human rights of the civilian population in the territories of Chechnya under its control, in particular with regard to human rights violations and harassment by the military and police forces;
 - 16.6. to allow for the unhindered delivery of international humanitarian assistance and for the effective operation of international governmental and non-governmental humanitarian organisations in the region;
 - 16.7. to ensure free access by Russian and international media to the region;
 - 16.8. to discuss with competent international organisations, including the Council of Europe, the ways in which they can contribute to the political solution of the conflict;
 - 16.9. to initiate a regional dialogue on the peaceful solution of the Chechen conflict, with the participation of representatives of Chechnya, Dagestan, Ingushetia and North Ossetia, as well as with competent international organisations, including the Council of Europe.
 - 16.10. to ask the Russian Federation to guarantee the full application of a fundamental aspect of democracy, namely the entire and independent operation of the media.
17. The Assembly recommends that the Committee of Ministers:
 - 17.1. transmit to the government of the Russian Federation this Assembly recommendation and requests the Chairman of the Committee of Ministers to initiate immediately the necessary action to ensure its implementation;

17.2. take rapidly, in close co-operation with the Russian authorities, the necessary measures designed to ensure a Council of Europe presence in the region, respecting the activities of other international organisations;

17.3. consider the question of human rights violations in the Chechnya conflict at its next meeting in order to take the necessary actions within its statutory powers;

17.4. review, in close co-operation with the Russian authorities, the Council of Europe assistance and co-operation programmes with Russia, to ensure that they help and do not in any way directly or indirectly inhibit a solution to the conflict;

17.5. provide appropriate support to the Russian authorities for the implementation of peaceful policies in conformity with the norms and principles of the Council of Europe, intended to normalise the situation in Chechnya, with particular regard to setting up local authorities, registration of the population, and ensuring that financial and material support effectively reaches those for whom it is intended;

17.6. play an active role in preparing, in co-operation with the Russian authorities, a regional conference with the participation of Chechnya, Dagestan, Ingushetia and North Ossetia, as well as competent international organisations, including the Council of Europe, to co-ordinate supportive actions for a permanent solution for the situation in Chechnya;

17.7. call upon its member states to take effective measures to control the flow of arms into the North Caucasus area.

18. The Assembly resolves to monitor closely respect for the requirements set out in paragraph 16 of this recommendation, at the same time emphasising that failure to meet them will inevitably necessitate, at the Assembly's April 2000 part-session, a review of Russian continued membership of, and participation in, the Assembly's work and in the Council of Europe in general. The Assembly therefore calls upon the Political Affairs Committee, the Committee on Migration, Refugees and Demography, the Committee on Legal Affairs and Human Rights and the Monitoring Committee to make arrangements for the rapporteurs to revisit the region before the April Assembly's part-session in order to report on whether such a review is necessary.