



Resolution 1227 (2000)¹

Conflict in the Chechen Republic: recent developments (follow-up to Recommendations 1444 (2000) and 1456 (2000) of the Parliamentary Assembly)

Parliamentary Assembly

1. The Assembly recalls its [Resolution 1201 \(1999\)](#) of 4 November 1999, [Recommendation 1444 \(2000\)](#) of 27 January, [Recommendation 1456 \(2000\)](#) of 6 April and [Resolution 1221 \(2000\)](#) of 29 June 2000.
2. The Assembly takes note of the information collected during the visit by the Assembly's Ad hoc Committee to Znamenskoye (Chechnya) on 18 September and to Moscow from 19 to 21 September 2000 and also of the hearing organised by the competent State Duma Committee on 21 September 2000 concerning the revival of the economy and the social sphere as well as respect for human rights and fundamental freedoms in the Chechen Republic. It welcomes the constructive spirit of this hearing, its fair and open character and the co-operation of the Russian parliamentary delegation in organising the visit to Znamenskoye.
3. The Assembly reiterates its conviction that the Russian Federation's conduct of its military campaign in the Chechen Republic and the resulting human rights violations have been unacceptable in terms of the Council of Europe's principles and objectives and that this conduct should have been unequivocally condemned by the Committee of Ministers.
4. However, the Assembly recognises that history will judge the Assembly not only by the number or the vehemence of its repeated condemnations alone but also by its continuing efforts to assist in promoting a solution to the conflict which ensures that due respect is given to human rights.
5. The Assembly accepts that there have been some encouraging developments such as the beginning of work by the human rights machinery put in place by the Russian Federation to deal with the Chechen conflict, for example the office of Mr Kalamanov, the Special Representative of the President of the Russian Federation on Securing Human and Citizens' Rights and Freedoms in the Chechen Republic, the State Duma Commission on the Normalisation of the Political, Social and Economic situation and Protection of Human Rights in the Chechen Republic and the National Public Commission on Crime Investigation and the Respect for Human Rights in the North Caucasus.
6. The Assembly considers that the work of these bodies has been instrumental in collecting information on the violation of human rights in the Chechen Republic regardless of the identity of its perpetrators and that it is beginning to provide human rights protection in individual cases.
7. The Assembly also considers that the role of the three Council of Europe experts in the work of Mr Kalamanov's office has made a useful contribution and must be sustained.

1. Assembly debate on 28 September 2000 (31st Sitting) (see [Doc. 8840](#), report of the Political Affairs Committee, rapporteur: Lord Judd and [Doc. 8843](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Bindig). Text adopted by the Assembly on 28 September 2000 (31st Sitting).



8. Aware that the Russian Federation continues to be subject to the monitoring process despite the suspension of voting rights of its delegation, the Assembly urges the Russian authorities, in fulfilling their commitments and obligations to the Council of Europe, to fully co-operate with the two rapporteurs of its Monitoring Committee in preparing fact-finding visits to produce a new information report.

9. The Assembly is, however, deeply concerned about the most serious and ongoing violations of human rights in the Chechen Republic, which include, inter alia, arbitrary and indiscriminate attacks and bombardments, illegal arrests and abuse of those held in detention, extortion and harassment at check points, all of which lead to unnecessary and unacceptable suffering among the civilian population. The Assembly believes that any continuing unwillingness or inability of the prosecuting authorities to investigate crimes committed by federal servicemen against the civilian population and to bring those guilty to court will lead to a lack of accountability and a resulting climate of impunity, which fosters further human rights violations and impedes a political settlement of the conflict.

10. Consequently, the Assembly urges the Government of the Russian Federation to take prompt and effective action, on the basis of the work of the above-mentioned bodies, in order to remedy without further delay the violations and the shortcomings reported by them and in particular to:

10.1. ensure that the Military Prosecutor's office undertakes systematic, credible and exhaustive criminal prosecutions of those members of the federal forces implicated in war crimes and other human rights violations;

10.2. stop all illegal practices at checkpoints, in particular harassment and extortion, while actively limiting the number of checkpoints to an absolute minimum;

10.3. stop all illegal and arbitrary arrests and detentions and any physical or mental abuse of those held in detention;

10.4. take immediate action to clarify the fate of all missing persons including public figures like Ruslan Alikhodzhiyev, former Speaker of the Parliament of the Chechen Republic;

10.5. restore an effective judiciary in the Chechen Republic;

10.6. accelerate the issue of identity documents;

10.7. provide compensation for the loss and destruction of property during the conflict;

10.8. speed the return of refugees and displaced people to their own homes and, in the meantime, ensure their full rights, security and dignity inside the Chechen Republic and elsewhere in the Russian Federation including Moscow.

11. The Assembly also urges the Russian Government to:

11.1. expedite its search for a political solution to the conflict, including negotiations without pre-conditions with both civilian leaders and the Chechen military commanders;

11.2. investigate all alleged mass killings of the civilian population by Russian troops, not least those reported in Alkhan-Yurt (December 1999), Staropromyslovski (January 2000) and Aldi (February 2000), and prosecute the perpetrators of these acts;

11.3. limit its law-enforcement operations in the Chechen Republic to what is absolutely necessary for the protection of its forces, local authorities and the population;

11.4. ensure freedom of movement of the civilian population in the Chechen Republic;

11.5. ensure maximum freedom of movement for the media in the Chechen Republic.

12. The Assembly urges the Chechen fighters fully to respect human rights and international humanitarian law, to renounce hostage-taking, to stop combat operations and to open dialogue with the Russian authorities, including the Administration of the Chechen Republic. The Assembly condemns the endorsement by the Chechen leadership of a series of lethal attacks on persons – and their families – working in the administration of the Chechen Republic. The Assembly registers its profound concern at the call by President Maskhadov for the thirteen candidates for election to the Russian Duma to be tried by a Sharia Tribunal; it notes that Pro-Russian Chechens tried by such tribunals have been sentenced to death; it reaffirms its total opposition to the death penalty in all circumstances; it therefore resolves to investigate whether a Sharia Tribunal has been convened and what sentences, if any, have been carried out.

13. Recognising the anxieties concerning the international dimensions of the security situation, the Assembly urges the members of the international community not to assist the Chechen combatants in their military activities.
14. The Assembly remains profoundly concerned about the humanitarian situation of refugees and internally displaced people in Ingushetia and especially in the Chechen Republic. While their return home is directly dependent on the improvement of the human rights and housing situation, compensation for the loss and destruction of property and other emergency measures must be taken immediately to ensure adequate winterised accommodation, heating, food, basic medical care and properly resourced education. The Assembly undertakes to closely monitor the situation of refugees and to call on the relevant organisations to provide the necessary financial assistance.
15. The Parliamentary Assembly calls on the Russian Government to grant access to those international humanitarian organisations and NGOs willing to commence operations in the Chechen Republic where the security of their staff can be ensured; it also calls on member governments of the Council of Europe without delay to provide generous support for the humanitarian rehabilitation and reconstruction of the Chechen Republic.
16. The Assembly calls on the Committee of Ministers to monitor the action taken by the Russian Federation in fulfilling its obligations as a signatory party to the European Convention on Human Rights and in response to the Assembly's recommendations and resolutions. In particular, the Assembly calls on the Committee of Ministers to closely monitor progress on investigations and prosecutions of those responsible for abuses and urges member states, in the absence of meaningful progress, to pursue other avenues of accountability including an interstate complaint before the European Court of Human Rights. It also calls on the Secretary General of the Council of Europe to keep the Assembly regularly and substantially informed on the activities of the Council of Europe's experts in Mr Kalamonov's office.
17. The Assembly reiterates its determination to work with the competent Russian parliamentary bodies in order to ensure full respect for the standards and objectives of the Council of Europe in the Chechen Republic. The Assembly supports the efforts of those members of the State Duma and the delegation of the Russian Federation to the Parliamentary Assembly who are endeavouring to bring peace, democracy, human rights protection and stability to the Chechen Republic.
18. The Assembly resolves to make the necessary practical arrangements to assess progress at its January 2001 part-session; it expresses the hope that by then progress will have proved sufficiently convincing for the Russian delegation to enjoy its full rights.