



Resolution 1240 (2001)¹

Conflict in the Chechen Republic – recent developments

Parliamentary Assembly

1. The Assembly recalls its [Resolution 1201 \(1999\)](#) of 4 November 1999, [Recommendation 1444 \(2000\)](#) of 27 January 2000, [Recommendation 1456 \(2000\)](#) of 6 April 2000, [Resolution 1221 \(2000\)](#) of 29 June 2000, [Resolution 1227 \(2000\)](#) of 28 September 2000, and [Recommendation 1478 \(2000\)](#) of 28 September 2000.
2. The Assembly takes note of the information collected during the visits by its rapporteurs to Moscow from 8 to 12 December 2000, and to Moscow and the Chechen Republic from 13 to 18 January 2001. It appreciates the assistance and co-operation of the Russian authorities and in particular that of the State Duma in organising these visits.
3. The Assembly reiterates its conviction that the Russian Federation has not acted in accordance with the Council of Europe's principles and values in the conduct of its military campaign in the Chechen Republic. Therefore, the Assembly considers that many of its requirements of the Russian Federation with regard to the conflict are still valid and must be implemented. No dialogue on a political solution with elected representatives of the Chechen Republic has been entered into by the authorities of the Russian Federation since 1999.
4. However, the Assembly takes note of some encouraging, if limited, developments since its last debate in September 2000, namely:
 - 4.1. moves towards the establishment of state institutions in the Chechen Republic by the Russian authorities especially in the sphere of civilian administration, the judicial system and the local police, with increased involvement of the Chechen people themselves in those institutions;
 - 4.2. a reduction in the number of checkpoints and an increase in the number of checkpoints manned both by Russian federal forces and the Russian appointed Chechen police;
 - 4.3. the withdrawal of some troops from the Chechen Republic, confirmed by the President of the Russian Federation, Mr Putin, in his statement on 20 January 2001;
 - 4.4. limited access by Russian NGOs to the Chechen Republic;
 - 4.5. accelerated delivery of identity cards.
5. The Assembly believes that the action by the office of Mr Kalamonov, Special Representative of the President of the Russian Federation for Human Rights in the Chechen Republic, where three Council of Europe experts are currently working, has had a beneficial impact on the human rights situation in the Chechen Republic.
6. Nevertheless, the Assembly notes that serious grounds for concern about human rights still exist within the Chechen Republic and that consequently the overall situation is not yet satisfactory.

1. Assembly debate on 25 January 2001 (7th Sitting) (see [Doc. 8929](#), report of the Political Affairs Committee, rapporteur: Lord Judd; and [Doc. 8948](#)/[Doc. 8948](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Bindig). Text adopted by the Assembly on 25 January 2001 (7th Sitting).



7. Specifically, the Assembly remains concerned that civilian, and particularly military prosecutors, have so far demonstrated insufficient commitment and rigour in their pursuit of complaints transmitted to them, either directly or through Mr Kalamonov's office, notably in regard to investigations into alleged crimes committed by members of the armed forces against the civilian population.
8. The Assembly regrets that:
 - 8.1. very few cases concerning alleged human rights violations and crimes committed by the armed forces have yet reached either the civilian or the military courts, and that there have been no indictments as yet in connection with the alleged mass killings in Alkhan-Yurt (December 1999), Staropromyslovski (January 2000) and Aldi (February 2000);
 - 8.2. no results have been achieved as regards the investigation of the disappearance of Mr Alikhodzhiyev, speaker of the former parliament of the Chechen Republic;
 - 8.3. convincing reports indicate the continuation of abuses and harassment at checkpoints, and unexplained disappearances, arbitrary arrests, illegal detention, ill-treatment and homicides, in particular in the course of the clean-up operations.
9. The Assembly is concerned lest a combination of ill-disciplined troops and the apparent failure to vigorously pursue alleged crimes committed by federal servicemen against the civilian population have generated a climate of impunity, resulting in further human rights violations, and demands that this is immediately remedied. The Assembly thus encourages victims of such crimes, or their families, to make use of the possibilities under Russian law to bring their cases to the competent court, in order to have criminal cases opened or reopened, or indictments issued where the competent prosecutor's office has failed to do so.
10. The Assembly remains concerned about the situation of numerous persons detained in connection with the conflict in the Chechen Republic by the Russian authorities. It values the protection measures that the International Committee of the Red Cross has developed in their favour since May 2000, with the agreement of the Russian authorities.
11. The Assembly is convinced that immediate and effective action by the Russian Federation to deal with these shortcomings is essential if there is to be a tangible improvement in the human rights situation in the Chechen Republic.
12. At the same time, the Assembly condemns human rights violations and violations of international humanitarian law committed by Chechen fighters, and also all terrorist activity with its increasing number of civilian casualties. It furthermore unreservedly condemns the threats against members of the Chechen administration.
13. The Assembly calls for an immediate release of all hostages, including Mr Kenny Gluck, kidnapped in January 2001. It stresses that those responsible have still further aggravated the bad living conditions of the Chechen people, as a result of the necessary security precautions taken by humanitarian agencies.
14. The Assembly remains deeply concerned about the continuing serious humanitarian situation of those people displaced by the conflict. It notes the assurances given by the Russian authorities that sufficient funds have been allocated to provide humanitarian relief as well as to build temporary housing for those still living in tents, but it still looks for the evidence of adequate practical results.
15. The Assembly notes the anticipated appointment of a new Chechen government by the Russian authorities and welcomes assurances that a comprehensive plan for the economic and social reconstruction of the Chechen Republic is being prepared.
16. Nevertheless, the Assembly stresses that without a political solution which is acceptable to the majority of the Chechen people there cannot be any lasting stability in the Chechen Republic, whatever the financial means allocated for this purpose.
17. Therefore, the Assembly calls on the highest authorities of the Russian Federation to give firm, unequivocal and public assurances that the Chechen people, like those in any other part of the Russian Federation, will be able freely to elect their own political representatives, who will be accountable to them and that the rights, dignity and national identity of the Chechen people will be fully respected.
18. While recognising that the conditions for convincing democratic elections in the Chechen Republic are still absent, the Assembly calls on the Russian authorities to take prompt intermediate action, for example by establishing a consultative body comprised of respected Chechen leaders with the role of national reconciliation and responsibility for preparing the future self-governing status of the Chechen Republic.

19. The Assembly believes that only an elected Chechen government can provide a sustainable basis for civilian order to take the place of the predominant influence of the military in the Chechen Republic. It notes with concern the increased responsibility to be given to the Federal Security Service (FSB) in the military presence in the Chechen Republic and reiterates its conviction that, whatever the provocation, the future stability and security of the Chechen Republic will only be achieved by an unremitting commitment at all times, and by all organs of the state, to the standards of justice, accountability and conduct demanded by membership of the Council of Europe.

20. The Assembly recognises that there are those within the Russian Federation who are willing to work for a solution to the conflict in conformity with the Council of Europe's standards and values, and recalls that participants to the hearing on the situation in the Chechen Republic, organised by the State Duma in September 2000, adopted a series of recommendations regarding the conflict, of which many coincide with those contained in the texts adopted by the Parliamentary Assembly.

21. The Assembly recalls the "Consolidated report containing an analysis of the correspondence between the Secretary General of the Council of Europe and the Russian Federation under Article 52 of the European Convention on Human Rights" of 26 June 2000. In accordance with this, the Assembly calls on the State Duma of the Russian Federation, as a matter of priority, to review the relevant provisions of the 1998 Russian Federal Law on the Suppression of Terrorism, its conformity with the European Convention on Human Rights, taking into account the opinion of the Council of Europe, in particular of the Venice Commission, and to adopt the necessary amendments.

22. The Assembly reiterates its determination to join forces with Russian parliamentarians in their efforts to implement these recommendations. With this aim in mind, it resolves to set up a working group comprised of three representatives of the Political Affairs Committee, three representatives of the Committee on Legal Affairs and Human Rights and one representative of the Committee on Migration, Refugees and Demography, together with at least eight representatives of the State Duma, to keep under constant review the progress made on the Assembly's recommendations as well as on the recommendations formulated by members of the Duma following the hearing in September 2000, with regard both to the human rights situation and to the overall reconstruction effort. The working group will regularly present a progress report both to the relevant committees of the Assembly and to the State Duma. In particular, the Assembly calls on this working group to provide it, before its next session, with a detailed list and the current status of all criminal investigations by military and civilian prosecutors into crimes against the civilian population committed by servicemen and members of special police forces in the Chechen Republic. In order to ensure the effectiveness of this working group, the Assembly recommends that the State Duma be represented by the chairman of its delegation to the Parliamentary Assembly, the Chairman of the Duma Special Committee on the Chechen Republic and by members of the other most relevant Duma committees, such as that on defence.

23. The Assembly considers that Russian parliamentarians should be fully acquainted with the reports and findings of the international NGOs monitoring the situation in the Chechen Republic, and recommends that the Duma Special Committee on the Chechen Republic hold as soon as possible similar hearings to that held by the Political Affairs Committee in Brussels on 21 November 2000.

24. Furthermore, the Assembly resolves:

24.1. to invite to meetings of its competent committees members of the Government of the Russian Federation and other competent officials responsible for implementing the recommendations of the Assembly and of the Duma hearing;

24.2. to co-operate closely with Mr Kalamonov's office in Znamenskoye, in order to make the best possible use of its presence in the Chechen Republic.