Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1404 (2004)[1]

The humanitarian situation of the Chechen displaced population

Parliamentary Assembly

1. The Assembly refers to its Resolution 1402 (2004) and Recommendation 1678 (2004) on the political situation in the Chechen Republic: measures to increase democratic stability in accordance with Council of Europe standards and to its Resolution 1403 (2004) and Recommendation 1679 (2004) on the human rights situation in the Chechen Republic.

2. The Assembly stresses the importance of humanitarian aspects of the conflict in Chechnya which should be dealt with irrespective of political considerations. In particular, the situation of refugees and internally displaced persons (IDPs) remains very precarious. As a result of the conflict, there are still between 30 000 and 50 000 displaced persons from Chechnya in Ingushetia and some thousands of such people in other parts of the Russian Federation. The majority of those who have returned to Chechnya have been unable to come back to their homes.

3. The Assembly is concerned at the information of many non-governmental organisations that, despite its recommendations, undue pressure has often been used by the authorities in order to encourage Chechen internally displaced persons staying in Ingushetia to return to Chechnya even if the security and humanitarian situation in the republic remains extremely complicated.

4. The Assembly notes that all of the refugee camps located in Ingushetia with unsatisfactory and sometimes alarming conditions are closed.

5. The humanitarian situation of internally displaced persons in Ingushetia is particularly worrying after the terrorist incursion of 21 and 22 June 2004 and the Assembly calls on the Russian authorities to ensure that IDPs are not unduly persecuted and intimidated by the security forces.

6. The Assembly welcomes the efforts of the Ingush authorities aimed at normalising the refugees' living conditions, in particular with regard to the construction of special cottage settlements (villages) intended for the Chechens.

7. The Assembly notes with concern that the vestiges of propiska (residence permits) seriously hamper the principles of freedom of movement and liberty to choose one's place of residence within the country.

8. Regrettably, the security and humanitarian situation in the Chechen Republic remains unsatisfactory. Many of those who return live in precarious conditions, and, despite some progress, the infrastructure, including health and education services, remains inadequate. Access to humanitarian assistance is hampered by security constraints and some bureaucratic obstacles. However, the development of the process of paying compensation to the families who lost their houses and property should be noted.

9. The Assembly recognises the efforts undertaken by the Russian authorities in order to advance the reconstruction of the destroyed republic. However, according to numerous allegations, there is a continuous problem of accountability and control over spending.

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1. Assembly debate on 5 October 2004 (27th Sitting) (see Doc.10202, report of the Committee on Equal Opportunities for Women and Men, rapporteur: Mr Mooney). Text adopted by the Assembly on 5 October 2004 (27th Sitting).

10. The Assembly urges the Russian authorities to:

10.1. refrain from any kind of pressure on the Chechen internally displaced population to make them return to the Chechen Republic;

10.2. maintain humanitarian assistance to Chechen IDPs outside Chechnya, in particular in Ingushetia;

10.3. ensure that all operations, including “special” and “targeted” operations, interrogations and searches of individual houses carried out by the police and military agencies following the terrorist incursion of 21 and 22 June 2004 are conducted in a correct manner that protects and respects human rights;

10.4. review legislation and administrative practices in order to ensure freedom of movement and freedom to choose one’s place of residence within the Russian Federation;

10.5. review the legislation concerning status and social benefits provided to internally displaced persons;

10.6. implement in a more effective way the mechanism for compensation for lost housing and property;

10.7. increase the efforts aimed at the improvement of security in the region, while at the same time ensuring accountability of the federal armed forces, and the protection of human rights;

10.8. increase the reconstruction effort and the humanitarian assistance and subject it to more effective and transparent accountability and control;

10.9. remove the remaining bureaucratic obstacles and simplify regulations concerning access to and actions of the humanitarian agencies in the Chechen Republic and in Ingushetia; reconsider in particular restrictive measures affecting the issuing of NGOs with permits for carrying out and monitoring relief projects, clearance and procedures at check-points, and the authorisation to use radio frequencies for communications

10.10. improve the living conditions in so-called temporary accommodation centres (TACs);

10.11. consider joining the Council of Europe Development Bank with a view to benefiting from the financial opportunities offered by it for the reconstruction of Chechnya

11. The Assembly calls on Council of Europe member states to:

11.1. maintain assistance to IDPs in Chechnya and Ingushetia;

11.2. step up financial contribution for the reconstruction of Chechnya;

11.3. promote the development of civil society in Chechnya;

11.4. ensure fair status determination procedure for every asylum seeker from Chechnya;

11.5. ensure that refugees who have fled the conflict are not returned to Chechnya or other parts of the Russian Federation unless and until their safe and durable return with dignity is ensured.

12. Furthermore, the Assembly calls on:

12.1. the Council of Europe Commissioner for Human Rights to continue monitoring the human rights situation of Chechen IDPs in the Russian Federation;

12.2. the Council of Europe Development Bank to examine ways in which it could contribute to a long-term reconstruction plan for Chechnya;

12.3. the Congress of Local and Regional Authorities of the Council of Europe to examine the possibilities of supporting Chechen refugees and displaced persons through partnership between European towns and the North Caucasus municipalities, particularly with those hosting IDPs

13. The Assembly endorses the efforts by the Committee on Migration, Refugees and Population and the secretariat of the Parliamentary Assembly of the Council of Europe to use their good offices to expedite the convening of a consultative conference with the participation of non-governmental organisations, international humanitarian organisations and relevant governmental and intergovernmental authorities to review how all necessary resources for the rehabilitation and reconstruction of the Chechen Republic can best be mobilised and effectively used.

14. The Assembly reiterates its support for the activities of the International Committee of the Red Cross in favour of those persons deprived of their freedom linked to the situation in North Caucasus.