

OSCE

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Conference Services

Please find attached the statement of the Head of the OSCE Assistance Group to Chechnya, Mr. Odd Gunnar Skagestad, made at the 236th Meeting of the Permanent Council on 24 June 1999.

Chechnya. Report to the OSCE Permanent Council, Vienna, 24 June 1999.

1. Background - the evacuation regime

Last year the Assistance Group (AG), for security reasons, on several occasions was forced to evacuate temporarily its expatriate staff from its Grozny headquarters to Moscow. The last such evacuation took place on 16 December 1998. By decision of the Chairman-in-Office (CiO), the evacuation has subsequently been prolonged repeatedly. Working visits to Grozny by members of the AG were made three times during January-March this year, but since then (as was announced at the OSCE Permanent Council meeting 11 March), a stricter evacuation regime was introduced to exclude any further travels to Chechnya by AG members. Thus, for the time being the AG continues to operate from its temporary office at the Embassy of Norway. The understanding has been that the AG would return to Grozny when the security situation has improved significantly. Unfortunately, this prerequisite has yet to materialize. From its Moscow office, the AG is meanwhile monitoring the political and security situation in Chechnya, while at the same time directing the practical activities involving the local staff at the AG's Grozny office.

2. The Security environment

Thus, the modalities of the AG's work are largely defined by the *security* environment. For years, Chechnya has been a high-risk area, especially for foreigners not protected by the restraints that societal traditions including the clan system and its blood feud code impose on Chechens. Developments so far in 1999 have only exacerbated the situation. Political unrest is intermingled with militant islamism, organized crime and a general breakdown of law and order, with frequent outbursts of violence, assassinations and other acts of terrorism. In particular, hostage-taking and abductions for ransom money have become an all-pervasive evil not only in Chechnya itself but also spilling over into the adjoining regions. Hostages are held under miserable conditions, they are widely exploited as slave labourers, and are frequently traded between the criminal groups (which include quasi-political organizations and their armed formations) as income-generating commodities. Expatriates, esp. those representing organizations believed to be capable of raising huge amounts of ransom money, have become prime abduction targets. Virtually all international institutions have left the region, terminating their previous activities or leaving it to their local partners to carry on. As the only remaining international body with a representation in Chechnya, the OSCE with its AG had gradually come to be seen as an increasingly vulnerable and likely target for an attack by hostile forces. Events in early March 1999, including the abduction of the RF Interior Ministry representative general Shpigun and the subsequent pull-out of Chechnya of the remaining RF representations, pointed a further grave deterioration of

the overall security environment. Later developments have only confirmed this unfortunate trend.

The premises of the AG headquarters in Grozny are well protected, with personnel, equipment and a security system which have allowed the AG previously to conclude that its own security situation is manageable. Main perceived danger has been the increased exposure when traveling. Another problem is the long-term negative effect of the AG's prolonged absence from Chechnya. This - combined with personnel turnover - entail the danger of weakening the direct, personal relations between expatriate and local staff, thus causing alienation which could erode the AG's credibility and the loyalty and support which the AG so far has enjoyed from its local employees as well as from Chechen authorities and the population at large.

The AG has so far not been able to report to the CiO that such an improvement in the security situation has occurred that would permit the AG expatriate staff to return to Grozny.

3. The political situation - recent developments

The negative developments in the security situation are mirrored by correspondingly negative developments in the political situation. President Aslan Maskhadov's attempt to pre-empt his opponents and regain the political initiative by announcing (3 February) the "full implementation of Shariah rule in Chechnya" may, however, have been instrumental in averting a coup or larger-scale violent confrontation. A special Commission was set up by the President to draft a new Islamic Constitution, a task which was completed on 7 May. The draft Constitution reflects the intention to islamize the Chechen society completely, including a provision that only Muslims may participate in elections or be elected to higher office.

The kidnapping of general Shpigun and the increasing frequency of terrorist violence and abductions - with spill-over into adjacent regions - have led to sharp countermeasures by Moscow, such as the closing of communications by railway and air, and stricter enforcement of the administrative border regime. As seen from Moscow, the Chechen authorities have almost completely lost control over the political, economic and security situation in the territory.

At the same time, the negative developments seem to have brought about a growing sense of urgency concerning the need to revive the negotiating process between the Federal and the Chechen authorities. Notably during the past 3 months there has been a number of official statements from both sides on the necessity of holding a "summit" meeting between Presidents Yeltsin and Maskhadov. As a preliminary step, a meeting between Prime Minister Sergei Stepashin and President Maskhadov took place on 11 June. Although the basic political disagreement on the Republic's future constitutional status would seem likely to remain unresolved, the immediate aim of such a summit would presumably be to lay down the main modalities

for active cooperation in handling the most pressing issues, which are viz. putting an end to banditry, terrorism and kidnappings; and taking steps towards restoring the Chechen economy, including the implementation of previously agreed economic reconstruction programmes. In a more long-term perspective, such a summit could also be a step towards reviving the negotiation process aimed at implementing the Khasav-Yurt Agreement of 31 August 1996, which stipulates i.a. that the status of Chechnya must be decided within a period of 5 years.

It seems likely that the latest wave of terrorist acts has the combined political aims of destabilizing president Maskhadov's regime, of breaking relations between Moscow and Grozny and provoking a failure of the proposed meeting between Presidents Yeltsin and Maskhadov. Another factor may be economic considerations, as criminal structures are facing significant reductions of their incomes as the result of the introduction of a stricter border regime by the federal law-enforcement agencies.

Chechen authorities have expressed the desirability of including a third party - possibly the OSCE - in a resumed negotiation process with the Federal authorities. In a number of talks with RF representatives, the AG has - in accordance with its mandate - confirmed its readiness to undertake such involvement. The prevailing view in Moscow has so far been the one expressed in an RF statement of 13 March 1997, which suggested that the part of the AG's mandate related to mediation efforts had been carried out in full. The AG has however received indications from some RF spokesmen, including the then Minister of Interior (now Prime Minister) Stepashin, that some form of involvement (for example in observer or advisory capacity) on the part of the AG could be useful.

4. The socio-economic situation

There is still no significant recovery from the physical destruction caused by the 1994-96 hostilities. Federal and regional authorities agree that restoring the Chechen economy - including reconstruction of buildings, infrastructure and production facilities - remains a joint priority, but very little has been achieved so far. The territory is beset by massive unemployment, an absence of foreign investments and a general economic decay. The education system has more or less collapsed. A large number of people are left without means to cover their most basic needs. The quality and availability of basic social services are insufficient to alleviate the deteriorating socio-economic conditions. Any hope for improvement would seem to depend on the prospects for the Federal and Chechen authorities of finding a joint approach towards handling the security problem.

5. Current activities of the AG

So far, the evacuation regime has not entailed insurmountable obstacles for the continuation of the AG's activities along previous lines and in line with the

priorities outlined and discussed with the Permanent Council at the 11 March meeting. Adequate routines have been established for directing and ensuring the continuity and regularity of our on-the-spot operations.

Our contacts with officials and others in Moscow as well as in Grozny indicate that *humanitarian aid* is seen as the main area where the AG can make a valuable contribution.

During the past few months, the AG has continued all the previously started long-term humanitarian aid projects in Chechnya, and also initiated some new ones. Our humanitarian aid capability has been strengthened by our hiring additional local staff in Grozny with expertise in this field. In addition to utilising our own budgetary means, the AG has succeeded in attracting some voluntary contributions from OSCE states, providing distribution and monitoring of their aid.

Among these, special mention should be made of the "Wheat Flour Program", financed by the U.S. State Department, and the "Psycho-medical Rehabilitation Project", financed by the Swedish International Development Co-operation Agency (SIDA). Plans and agreements made prior to our evacuation have ensured that the projects go as scheduled.

The AG is currently in the process of preparing additional projects, the implementation of which would depend on the support of possible voluntary contributors.

For the purpose of encouraging and attracting further voluntary efforts in the field of humanitarian assistance to Chechnya, the AG in March this year issued an appeal to the international community. That appeal is still valid. If requested, the AG would be in the position to provide potential donors with information concerning their particular sphere of interest, or to establish a direct channel to a relevant Chechen partner.

A main provision of the AG's mandate includes to

- *promote respect for human rights and freedoms, ... (and) help foster the development of democratic institutions and processes;*

In addressing these tasks, the AG has had to adopt a flexible approach, taking into account the specific situation in Chechnya, including the lack of infrastructure regarding protection of human rights and democracy-building measures compatible with European standards. Cooperation partners include certain existing skeleton organizations. With the generous sponsorship of the Government of Finland, the AG was able to organize the participation of three Chechen delegates to the recent OSCE Supplementary Human Dimension Meeting on Gender Issues in Vienna 14-15 June.

The AG fulfils to a certain degree the function of a human rights watch; advising and urging Chechen authorities to adhere to internationally recognized standards in the field of human rights. Recent developments have, however, not been encouraging. The introduction of Sharia rule

contradicts the Charter of Fundamental Rights and Freedoms, and seriously hampers the fulfilment of the AG's mandate to "*support the creation of mechanisms guaranteeing the rule of law...*". This system also leads to violation of human rights, especially to discrimination of the political rights of non-Muslims.

6. The road ahead -

Under the present circumstances, the possibilities for the AG to fulfil its mandate are significantly restricted. This would, realistically, call for a continuous appraisal and possibly a reassessment of the basis for the continued operations, including the further prospects for the AG to perform its tasks in terms of its mandate in a sufficiently meaningful and cost-effective way. We are convinced that the long-term usefulness of its assignments outweighs the current short-term disadvantages, and that the AG is indeed making a difference. The AG appreciates the continuous assurances and expressions of support that it has received from all quarters, including Russian Federal as well as Chechen authorities.

Although not specifically mentioned in the AG's mandate, a main reason for the continued OSCE presence in Chechnya is the *political* dimension of the mission's work. The OSCE presence is a political message that Chechnya has not been forgotten by the international community. For Chechnya the AG is important as a channel of contact with the outside world. I also want to underline the AG's role in carrying out independent observations, analyses, assessments and reporting on general political developments as well as on economic developments including conditions of life in the region. I believe it is useful for the OSCE to maintain a presence which gives the organization an opportunity to monitor these developments on a continuous basis, and the AG is confident that it is able to fulfil a substantial part of these tasks even under the prevailing circumstances.