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International Human Rights Advocacy

Council of Europe withdraws from Chechnya

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Commentary on the Report by the Secretary General on the Presence of Council of Europe Experts in the Chechen Republic and overview of the situation since June 2000. SG/Inf(2004)3, 16 January 2004.

On 16/01/04 the Secretary General published the final report on the presence of the Council of Europe's experts in Chechnya. It provides an evaluation of the Council of Europe's presence in Chechnya, an overview of the situation since June 2000 as well as a new agreement on future cooperation.

Since June 2000, CoE consultative experts lived in Zamenskoye and worked within the mandate of the Putin-established Office of a Special Representative of the President of the

Russian Federation for ensuring human and civil rights and freedoms in the Chechen Republic. The Office focused specifically on human rights abuses by members of the federal forces and law-enforcement bodies - in particular on extrajudicial killings and disappearances. From June 2000 until August 2003, it registered nearly 10,000 applications on alleged human rights abuses.

Expressed as "a new form of cooperation" which foresees CoE experts' involvement in the implementation of concrete programmes on an "ad hoc" basis, the continued presence of the Council of Europe in Chechnya has ended. According to Mr Yakovenko, Spokesman for Russia's Ministry of Foreign Affairs, the experts will not be stationed in Chechnya, but will be "enlisted at the Russian side's request." ►►

◀ ▶ A non-exhaustive list of cooperation activities envisaged for 2004 is appended to the agreement.

As the only remaining international organisation, which had staff working and residing in Chechnya, this move will have considerable impact on the monitoring of human rights in the region, in particular in light of the very limited access of international humanitarian organisations to the Republic.

The report does not give a reason for the CoE withdrawal from Chechnya. The dramatic events of Autumn 1999 and the failure of the Russian Federation to comply with its legal obligations under Article 52 of the Convention triggered the setting up of monitoring procedures and the provision of assistance, enabled *inter alia* by the presence of CoE experts in Chechnya. Yet, in his report, the Secretary General states that "it is hard to talk about normalisation as long as the number of disappearances remains on the same – or even higher - level than in 2000" (2,056 complaints of disappearances were lodged with the Office between June 2000 and August 2003). According to the report, "few efforts have been made by all sides to break the vicious circle of violence" and a "prevailing climate of impunity" continues.

Finally, what future awaits those 10,000 applications lodged? The Secretary General acknowledges that much is yet to be achieved considering the relatively small number of investigations finalised. According to the report, the new agreement does not provide immediate procedures for appropriate and effective follow up. In addition, it describes the character of the current Office as "dependent on the personal priorities of the Special Representative." Although the office of Ombudsman is enshrined in the newly adopted Chechen Constitution, at present, there is no intergovernmental or non-governmental organisation to carry out the monitoring of human rights abuses or the required follow up into existing complaints. Since its conception, effective monitoring has been at the core of the Council of Europe's activities. The effect of the abrupt end of the Council of Europe's presence in Chechnya on the confidence of the local population and the extent to which the international community is able to monitor on-going human rights violations in the region is yet to be ascertained. ■

[http://www.coe.int/t/e/SG/Secretary-General/Information/Documents/Chechnya-Russia/SGInf\(2004\)3E.asp](http://www.coe.int/t/e/SG/Secretary-General/Information/Documents/Chechnya-Russia/SGInf(2004)3E.asp)