

CRIMES OF WAR

P R O J E C T

**CHECHNYA:
THE WORLD LOOKS AWAY**



PHOTO © THOMAS DWORZAK/MAGNUM, 2002

ABOUT THE CRIMES OF WAR PROJECT

The Crimes of War Project is a collaboration of journalists, lawyers and scholars dedicated to raising public awareness of the laws of war and their application to situations of conflict. Our goal is to promote understanding of international humanitarian law among journalists, policymakers, and the general public, in the belief that a wider knowledge of the legal framework governing armed conflict will lead to greater pressure to prevent breaches of the law, and to punish those who commit them.

Through our book *Crimes of War: What the Public Should Know*, through our website (www.crimesofwar.org), and through educational programs and seminars, we hope to:

- Raise the level of understanding about the law among those reporting on war and war crimes.
- Provide information for journalists, scholars, and the policy community about critical issues in modern armed conflict.
- Encourage wider appreciation of international law as a framework for understanding and responding to conflicts around the world.
- Promote consultation among journalists, legal experts and humanitarian agencies about how to increase compliance with international humanitarian law.
- Provide a forum for accessible debate about the current state of international law, and its application to unfolding events.

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INTRODUCTION

BY ANTHONY DWORKIN

On March 23, the people of Chechnya were given the chance to vote for a new constitution sponsored by the republic's Moscow-backed authorities. According to official reports, a high percentage of voters turned out and gave overwhelming support to the plan, which affirms Chechnya's place within the Russian Federation. But some journalists and human rights activists have painted a very different picture. The view of Oleg Orlov of the human rights group Memorial is that the vote was conducted in an atmosphere of terror and cannot be considered as "a genuine referendum."

The referendum was part of a Russian campaign to make out the situation in Chechnya is settling down – that the war is essentially over, and that the Chechens themselves can vote for their own leaders under Russian authority. But reports from the region indicate that the fighting has reached more of a stalemate than a solution. And in the meantime, there is evidence that atrocities and war crimes are continuing unchecked in this brutal and vicious conflict.

Statistics compiled by the Chechen authorities and leaked to journalists show that disappearances, killings and beatings are rife. Eyewitness accounts and independent investigations suggest that the Russian army is responsible for most of these crimes.

Demoralized and corrupt, with no indication that abuses will be punished, the army appears to have been given a virtual free hand to abduct, rob and kill. There is no official recourse for people whose relatives disappear. No credible investigations into these abductions ever seem to take place.

At the same time, the separatist fighters – or at least some among their ranks – are also responsible for kidnappings and other crimes. Some are resistant to any compromise settlement, and their hard-line stance is dragging the people of Chechnya further into an intractable conflict that, it appears, most of them would like to be done with.

The continuing abuses in Chechnya belie any claim that the situation is returning to "normal." Yet the outside world – which has never consistently pressured the Russian authorities over its responsibility for war crimes in Chechnya – now appears to be looking away. Geo-political concerns – the U.S. war on terror, the expansion of Europe – take precedence over the illegal abuses of this dirty war. At the recent UN Human Rights Commission meeting, the United States declined to sponsor a resolution condemning Russian actions in Chechnya (it has sponsored such motions in previous years). The U.S. did vote for a European motion on Chechnya, but it was defeated.



Chechen civilians pass the ruined presidential palace during their flight from the city January, 1995 in Grozny, Russia. Photo © Malcolm Linton, 1995

As a non-international armed conflict, the war in Chechnya falls under Common Article 3 of the Geneva Conventions, which forbids the killing, ill-treatment, and torture of those not taking part in hostilities. In addition, it is covered by Additional Protocol II to the Geneva Conventions of 1977, to which Russia is a party. This forbids violence against those not taking part in hostilities, collective punishments, taking of hostages, acts of terrorism, outrages against personal dignity and pillage. It also makes it a crime to direct any attack against the civilian population.

Beyond these conventions, any campaign of violence and forced disappearances directed against the civilian population, conducted in a widespread and systematic way, would constitute a crime against humanity under customary international law.

For further discussion of the law that applies to the Chechen conflict, see this earlier feature (<http://www.crimesofwar.org/expert/chechnya.html>) on our website.

Murder, torture, rape and enforced disappearance, when committed as part of a widespread or systematic attack on the civilian population, are listed as crimes against humanity in the Rome Statute of the International Criminal Court. Russia has signed the Statute but not ratified it, so the ICC cannot exercise jurisdiction over any crimes committed in Chechnya.

In this magazine, we look at the war in Chechnya and the abuses that are taking place under its cover. **Anne Nivat** gives an on-the-ground report that emphasizes the entrenched nature of the conflict. **Pavel Felgenhauer** explores the culture and conditions of the Russian army and explains the factors that shape its conduct. **Thomas de Waal** looks at the links between this civil war and the outside world – the role of Islamic fundamentalism and the failure of the West to take a stand. **Oleg Orlov** gives a powerful and informed summary of the way the war is changing and the crimes that are still taking place. **Andre Kamenshikov** gives a first-hand report of one initiative that is attempting to reduce ethnic tensions throughout the region and prevent the spread of conflict. And **Thomas Dworzak's** photo essay gives the human dimension of the crime of forced disappearance.



Two Chechen freedom fighters stand January, 1995 in Grozny, Russia. Photo © Malcolm Linton, 1995

THE RUSSIAN ARMY IN CHECHNYA

BY PAVEL FELGENHAUER

The armed conflict in Chechnya that began in September 1999 is well into its fourth year. Despite repeated pledges by the authorities in Moscow that they would do their best to improve the human rights situation and stop the constant abuse of civilians by members of the federal military and security forces, the atrocities continue, apparently unabated.

As far as is known, no high-ranking Russian officer has been meaningfully punished for allowing or participating in the abuse of civilians or the mistreatment of separatist combatants who have been taken prisoner. In December 2002 the most publicized case of a Russian officer to face charges over conduct in Chechnya – the prosecution of the tank regiment commander Colonel Yuri Budanov, accused of strangling an 18-year old Chechen girl in 2000 – ended with the defendant acquitted on the grounds of temporary insanity. Following an international outcry, the Russian Supreme Court overturned the verdict in February 2003 and has ordered a retrial.

Budanov's initial acquittal by a military court seemed like a signal to Russian commanding officers and security service officials that

Instead of attacking with infantry and tanks, the Russian army, in an attempt to reduce its own casualties, used heavy equipment and firepower to lay waste to the Chechen capital Grozny and many other towns and villages. The loss of life, mostly civilian, and the damage to property was terrific – today most towns are still in ruin. In many instances Russian troops committed appalling war crimes, deliberately attacking the civilian population in direct violation of the Geneva Conventions. There is credible evidence of use of the so-called Heavy Flamethrowing System (TOS-1) – a fuel bomb land-based multiple launch delivery system, also known as “Buratino” among the Russian rank and file – against Chechen towns and villages during the winter campaign of 2000. The third protocol of the 1980 Geneva Convention strictly forbids the use of such “air-delivered incendiary weapons” in populated areas, even against military targets.

After the fiasco of the first Chechen war, the Russian Defense Ministry created “permanent readiness” army brigades and divisions that were intended to be almost fully manned and ready for deployment to deal with local conflicts. But the basic quality of the Russian troops did not change dramatically. It turned out that “permanent readiness” units could not be moved to the front as full-strength brigades and divisions. In combat in Chechnya in 1999–2003 Russian military staffs were forced to use combined

“To compensate for the low quality of their fighting units in Chechnya, Russian military chiefs have adopted a strategy that tries to copy NATO’s policy in the Balkans in 1999: bomb till victory and win without heavy casualties.”

killing Chechen civilians was acceptable and that no one would be seriously punished, no matter what they did. At the same time, it is clear that continued massive mistreatment of the Chechen population is undermining the Kremlin’s policy of trying to pacify the rebellious republic. Virtually all outside observers, including many influential members of the military and political elite in Moscow, agree that the continuing abuse of civilians by the military and security forces is the main source of support for the rebel movement – helping it to recruit more young men and women to fight for the cause to revenge dead relatives.

A PROMISE UNFULFILLED

In October 1999, when Russian troops invaded Chechnya to crush the separatist rebellion, then-Prime Minister Vladimir Putin (who has been president since 2000) told the nation that this time it would be done properly: the enemy would be defeated, casualties would be low, the war would be short, and it would be the Chechens themselves, not the Russians, who would be fighting the rebels – chasing them out of villages. It actually seemed at times that Richard Nixon was back, talking of the “Vietnamization of the war” (the notion that the Vietnamese would fight Vietnamese, while the U.S. soldiers would go home).

“operational groupings” instead of a traditional system of divisions, regiments, brigades and battalions. Combined tactical groups were formed, often built around battalions with strong reinforcements, especially of artillery.

A STRATEGY OF BOMBARDMENT

As the campaign has progressed, it has become obvious that the Russian forces in Chechnya do not have any good infantry units capable of swiftly engaging Chechen fighters at their weakest moment without massive air and heavy artillery support. Instead of seizing the initiative to exploit sudden opportunities, Russian field unit commanders tend to plough ahead with the execution of battle plans approved in advance by their superiors.

To compensate for the low quality of their fighting units in Chechnya, Russian military chiefs have adopted a strategy that tries to copy NATO’s policy in the Balkans in 1999: bomb till victory and win without heavy casualties.

This strategy of victory by bombardment has inevitably lead to massive war crimes. In attacks on Chechen towns and villages Russian forces have not only extensively used TOS-1 (Buratino),

napalm and fuel air bombs, but also “Tochka” and “Tochka-U” ballistic missiles that can fly up to 120 km and cover up to 7 hectares with cluster shrapnel on impact. The use of such mass-destruction weapons as aerosol (fuel) munitions and ballistic missiles against civilian targets was undoubtedly authorized by Moscow and may implicate the President Putin personally, as well as his top military chiefs, in war crimes.

However, the indiscriminate attacks did not make the second Chechen war a “low casualty” engagement even for Russian forces. Unofficial estimates put Russian military losses in both Chechen conflicts (1994–1996 and 1999–2003) as high as 12,000 dead and some 100,000 wounded. Chechen losses (mostly civilian) are estimated at 100,000 or more.

CONTRACT SOLDIERS AND THEIR PAY

High casualties and the need to replace conscripts who had completed compulsory military service forced the Russian Defense Ministry to begin in the spring of 2000 a massive campaign to recruit volunteers – the so-called “kontraktniki”. soldiers in Chechnya involved in combat missions were promised high pay by Russian standards (800 rubles or approximately \$28 per day). Many kontraktniki enlisted, but the process of screening volunteers for Chechnya was superficial and they were sent into combat without any further selection or training. Many of these volunteers have been drunks, bums and other fallouts of Russian society.

In 1999 Putin announced that soldiers fighting “terrorists” in the Caucasus would be paid as well as Russian peacekeepers in ex-Yugoslavia – up to \$1000 a month. Most likely the Kremlin actually believed that the war would be short and victorious and that the bill for extra pay would be limited. But as the campaign dragged on, the extra pay bill increased to 2–3 billion rubles a month and the Russian Finance Ministry became nervous, as such expenditures were not envisaged in the budget.

From June 1, 2000, the Finance Ministry began to strictly limit the disbursement of funds to cover “combat pay” in Chechnya. In October 2000, a limit of approximately 800 million rubles a month was imposed for all extra combat pay for all of Russia’s multiple armies involved in the Chechen campaign. This has led to growing arrears and protests.

The problem of the extra combat pay was also aggravated by rampant corruption in the ranks of the Russian military. Instructions were issued that not all soldiers were eligible to get combat pay, but only those who were involved in combat and only for the time they were actually fighting. Commanders were given authority to issue or withhold extra

pay on whim – a situation that created unique opportunities to steal soldiers pay and has led to constant money scandals within fighting units.

In 2000 Russian volunteer kontraktniki started protesting in the streets of Rostov-on-Don near the headquarters of the Northern Caucasus Military District (NCMD), which is in charge of operations in Chechnya, demanding to be paid. Protests have also spread to the war zone: Russian soldiers told government TV channel RTR reporters in October 2000: “All we think about is getting food and smokes. We’re supposed to be on full allowances and pay here, but we get nothing at all. We’re not even issued uniforms.”

The Russian kontraktniki serving in Chechnya are in many instances not military professionals, but badly trained mercenaries – contract killers, not contract servicemen. Typically, they enlist for 6 months to grab pay and leave. But there are many

reports coming from the North Caucasus that indicate that these kontraktniki are not getting the money they believe they are owed, and this is further diminishing morale.

There were independent reports that in November and December 2002, sev-

eral Russian kontraktniki units in Chechnya went “on strike” over pay – refusing to obey orders and staging noisy street demonstrations in Grozny. During sweep operations (searching Chechen towns and villages for alleged rebels) the kontraktniki have pillaged and raped the population – believing they are just taking what they are due, what the Russian government promised them but did not pay in time.

POOR DISCIPLINE AND CORRUPTION

In July 2000 a series of spectacular Chechen suicide truck bomb attacks left more than 100 Russian servicemen dead or wounded. Days after the attacks Putin publicly scolded military commanders including the Russian Defense Minister Igor Sergeev and the Interior Minister Vladimir Rushaylo for negligence. “Many of the losses could have been avoided in Chechnya with better discipline, professionalism and responsibility,” said Putin.

Putin’s assessment seems to be accurate: Russian soldiers and their commanders in Chechnya are undisciplined, unprofessional and irresponsible. Putin should have also added: rampantly corrupt. As their chiefs steal big, Russian soldiers and officers also do their best to make some money on the side. A regular racket of kidnapping Chechens as “terrorist suspects” for ransom has been established by Russian military personnel, who also collect bribes from anyone passing a checkpoint, take part in illegal extraction and export of oil in Chechnya and so on.

In July 2000 Russian government TV showed footage of the arrest of a Chechen pusher who was selling heroin to Russian soldiers in exchange for weapons and ammunition in the premises of the main Russian military base and high command headquarters in Chechnya, in Hankala, east of Grozny. While Russian officers were apprehending him, the Chechen pusher began to yell: “I’ll pay you \$1000! I swear!”

There have been reports of Russian servicemen in Chechnya as high-ranking as colonel being involved in sales of arms and ammunition to the rebels. In May 2002 an explosion of a Russian-made antipersonnel mine in the Dagestani town of Kaspiysk killed and wounded some 200 soldiers and civilian bystanders during a military parade. Several Russian officers from the garrison of the nearby



Russian interior ministry troops stand in a tank January 10, 1995 near Grozny, Russia. Photo © Malcolm Linton

Dagestani town of Buynaksk were accused of selling the radio-controlled MON-90 mine that was used in the attack in Kaspiysk and were put on trial in January 2003. There have been also numerous reports that Russia security forces arrest scores of Chechens as “suspected terrorists” only to release them later for a bribe – sometimes as small as \$300 and sometimes as big as \$2000.

UNEQUIPPED FOR THE FIGHT

It is obvious that Russia entered Chechnya in 1999 without a capable, professional army – and also without the kind of modern military equipment that is most needed to fight low-intensity anti-guerrilla wars. For ten years the Russian Defense Ministry has been talking of creating a corps of professional sergeants that would form the backbone of a professional army and also talking of the need to buy modern conventional weapons – but it has been just talk..

The Russian forces in Chechnya have no radar-equipped attack planes or helicopters, capable of providing close air support in fog or at night. In the first week of March 2000, a company of paratroopers (84 men) from the 76th Russian Airborne Division based in Pskov was wiped out by Chechen rebels in the mountains of southern Chechnya. The Russian high command announced that this military disaster happened “because fog did not allow the deployment of attack aircraft.”

In fact in the 1990’s the Russian arms industry had developed prototypes of night/fog-capable attack aircraft. But the Russian Defense Ministry deliberately channeled funds to buy ballistic missiles. Now that the war in Chechnya has fully exposed Russian military deficiencies, attempts are being made to reverse the situation.

First Deputy Chief of the Russian General Staff Valery Manilov told me in February 2000 that modified Mi-24N (Hind) attack helicopters with radar had been ordered by the Russian Defense Ministry. He also told me that the Russian military hoped that several Mi-24Ns would be fully operational in several months. Nevertheless as of February 2003 there are still no night-capable attack helicopters deployed in Chechnya and no one knows when any will be ready for combat.

It was also announced that in 2000 the Russian Defense ministry acquired its first three modernized Su-25 attack jets equipped with radar for close air support in fog or at night. But up to now there has been no indication

of the deployment of such planes in the North Caucasus region. Until battle-ready night/fog-capable close air support units are deployed in the Caucasus, Russian forces in “liberated” Chechnya will either have to stay put at night and in bad weather, or risk being ambushed by rebels.

A SHORTAGE OF MUNITIONS

Indeed the first and second wars in Chechnya have been wars without any serious procurement of heavy military equipment or munitions. The Russian Defense Ministry has been dipping deeper and deeper into Soviet Cold War stocks that have become increasingly depleted. In October 1999, at the beginning of the invasion of Chechnya, Russia was able to deploy in the war zone only 68 transport and attack helicopters – a quarter of the number amassed for the war in Afghanistan, though the number of Russian servicemen sent to Afghanistan and the second Chechen war were roughly the same.

Between August 1999 and January 2003, Russian forces lost up to 50 helicopters in Chechnya. The attrition rate has been appalling and especially painful for the Russian military, because there was no additional procurement during this period. Spare parts to repair aging planes that are often riddled by enemy small arms fire are a serious problem. It's reported that helicopter fans for Mi-24 are especially in short supply. Replacements for lost helicopters in Chechnya are being sent to the NCMD from other Russian military districts, while injured planes are dismantled for spares. The Russian troops in Chechnya have lost the capability to perform large-scale tactical air-mobile operations. Even company-size helicopter airborne landings in Chechnya seem to be out of reach as the Russian army's airlift capability diminishes further and further.

The Russian troops in Chechnya have made extensive use of heavy artillery fire to suppress the rebels and this has severely depleted munitions stockpiles, as there has been no serial production of heavy shells in Russia for a decade. In the 1994–1996 Chechen war officers complained that they were using shells produced in the 1980s. In the present conflict shells produced in the 1970s and 1960s were supplied to the front. In December 1999 the Russian government reportedly released 8 billion rubles (\$285 million) to buy new heavy shells. But the Russian defense industry has not managed to resume serial production of such munitions.

Reports from Chechnya say that Russian troops are running out of ammunition for their most used heavy gun – the 122mm D-30 howitzer. One of the remedies being considered in the General Staff in Moscow is to bring out of strategic storage the pre-Second World War M-30 122mm howitzer for which there are millions of rounds, kept since the 1940s.

A VICIOUS CYCLE OF DEGRADATION

It's often said that wars speed up military-technological progress. In the North Caucasus the opposite is happening – the Russian army is degrading both morally and technically. Bad training, badly organized logistical support, and constant marauding by the troops have brought low discipline. Soldiers, constantly high on drugs or vodka, fail to maintain their equipment and misuse it. Outdated military equipment constantly breaks down, even when properly managed. Outdated munitions misfire, killing and maiming troops, which reduces morale still further.

Today the Russian troops in Chechnya are trapped in a vicious cycle of degradation. The process has become so obvious that the Kremlin, despite its constant barrage of “victory over terrorists” propaganda, was forced to acknowledge the problem and announce a serious review of its operations in Chechnya.

Moscow has pledged to withdraw troops from Chechnya, while the local pro-Moscow militia will be expanded. In the end, the Kremlin insists that only permanent garrison units of the 42nd Defense Ministry Motor-Rifle Division and the 46th Interior Ministry Motor-Rifle Brigade will stay in Chechnya (approximately 22,000 men), supplemented by local pro-Moscow

Chechen Interior Ministry forces. But the withdrawal has been constantly postponed and is at present on hold.

The problem is further complicated by the poor quality of Russian troops, especially the newly formed 42nd Motor-Rifle Division. This unit was planned by the Kremlin to be a first-rate reinforced 4 regimental division of 16,000 men, manned mostly by professional contract soldiers and armed with the most modern conventional military equipment.

In reality this division is one of the worst in the present Russian army. To form the 42nd Motor-Rifle officers were gathered from all over Russia and, predictably, many commanders used the occasion to get rid of outcasts that they wanted out anyway. In 1995–1996 the Russian Defense Ministry also formed a “permanent deployment” brigade in Chechnya – the 205th Motor-Rifle based in Hankala. Throughout the NCMD the 205th brigade was known as “always drunk” 205th. In the battle for Grozny in August 1996 the 205th brigade was defeated and decimated by the Chechen rebels. Its remnants were withdrawn later to Budenovsk in the Stavropol region where the unruly kontraktniki of the 205th created havoc, assaulting the local Russian population.

The worst cases of contract soldiers not being paid during the present Chechen campaign are reported from the 42nd division. It was also reported that in the mountains of Chechnya the soldiers of the hapless 42nd division actually eat bark, to stop diarrhea caused by drinking contaminated water, because they do not have any other medicine. The water purification equipment has broken down and there is no replacement, overall sanitation is appalling, medical supplies have been commandeered by the top brass, and it is felt that officers do not care about the men.

Such a “permanent garrison” will hardly be able to control Chechnya on its own anytime soon. Other Russian units will have to stay to reinforce them, so the announced “partial” withdrawal of troops will be very partial indeed. It would be equally unreasonable to expect that there will be any significant improvement in the overall situation of the military in Chechnya at any time in the foreseeable future.

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THE CHECHEN CONFLICT AND THE OUTSIDE WORLD

BY THOMAS DE WAAL

Three snapshots relating to Chechnya from recent months:

On December 16, 2002, four Algerians were arrested in a Paris suburb who were alleged to have trained alongside Chechen radical Islamists in Georgia's Pankisi Gorge. (Later, a group of North Africans detained in London on suspicion of manufacturing the toxin ricin was also alleged to have been in Georgia). On December 27, a massive double suicide bombing at the headquarters of the pro-Moscow Chechen government administration in Grozny killed at least 72 people. On December 31, the Organization for

In other words, while Russia is prepared to acknowledge the increasingly international dimension of the Chechen tragedy, it refuses to accept the need for an international solution.

When Chechnya's modern crisis began in 1991, it was a different kind of problem altogether. In that year, radical nationalists led by Chechnya's first Soviet general, Jokhar Dudayev, took power and declared the province's secession from the Russian Federation (still just part of the Soviet Union at the time).

It is important to underline that radical Islam was almost entirely absent from the movement. The "Chechen revolution" of 1991 was comparable to the other chaotic nationalist revolts that sprang up in the last years of the Soviet Union in Georgia, Azerbaijan or the Baltic States.

"How then did we get from there to here – from a thuggish but recognizably Soviet independence movement, to suicide bombings, Middle Eastern militants and the mass seizure of hostages in Moscow?"

Cooperation and Security in Europe closed its mission in Chechnya, after the OSCE and Russia failed to agree on an extension of its mandate.

What all these three events grimly suggest is that while the problem of Chechnya is growing, international leverage to end it is diminishing.

Hardliners on both sides are setting an agenda of escalating violence. On the Chechen rebel side, radical Islamists with ties to Middle Eastern groups are now the strongest element amongst the guerrilla fighters. The elected leader of the Chechens, Aslan Maskhadov, is losing authority.

On the Russian side, the hardliners in the security establishment used the October hostage crisis in Moscow to reinforce their position. They blocked a planned downscaling of the troop presence in Chechnya, vetoed any negotiations with Maskhadov and demanded the extradition of his moderate envoy in Europe, Akhmed Zakayev.

THE GLARING CONTRADICTION IN RUSSIAN POLICY

At the heart of the Russian position is a glaring contradiction. Ever since it launched a second war in Chechnya in 1999, and particularly since September 11, 2001, Moscow has sought international legitimacy for its military campaign by labelling it as part of the "war against terror." At the same time, the Kremlin continues to insist that Chechnya remains an "internal problem of the Russian Federation," and rejects the kind of outside mediation the OSCE provided in 1995–7.

Dudayev tried to give his self-proclaimed state a secular constitution – the only figure who founded an "Islamic" party was a young gangster and opportunist, Beslan Gantemirov, who changed sides several times and is now in the service of the Russians. Moreover, the independence movement had virtually no contacts outside the Soviet Union; Dudayev was a self-confessed Soviet patriot.

How then did we get from there to here – from a thuggish but recognizably Soviet independence movement, to suicide bombings, Middle Eastern militants and the mass seizure of hostages in Moscow?

The answer lies in the brutal and bungled policy conducted by Moscow towards Chechnya over the last eleven years – a policy in which the West has played a dishonourably collusive role.

ROOTS OF A CATASTROPHE

From the end of 1991 to the end of 1994, Russia was in chaos; Boris Yeltsin's regime was characterized by extraordinary corruption, feuding and lack of strategic vision. This resulted in several competing policies towards the breakaway southern province. Partly due to the prickly egotism of both men, Dudayev and Yeltsin never met face to face – despite the Chechen leader's claim that the two men could work out a solution to the problem if they were allowed to negotiate directly.

Yeltsin's decision in December 1994 to send troops into Chechnya was misconceived, ill-planned and ultimately catastrophic. Dudayev was transformed from a reviled autocrat into a national defender. A Russian army that was ostensibly sent in "to restore constitutional order" ran amok, committing atrocities and killing

thousands of innocent civilians. The most economically viable region in the North Caucasus was reduced to ruins.

Worse, despite carefully modulated statements of “alarm” and “concern,” the West mainly preferred to turn a blind eye to what was going on. In the scale of its violence, Chechnya was akin to Bosnia. But – partly due to its remoteness, partly due to the West’s perceived long strategic agenda with Russia – Western leaders were never pricked into action by the Chechen conflict, as they were by the wars in the Balkans. Yeltsin’s tactics in Chechnya may have been the same as those of Milosevic, but unlike Milosevic, he professed himself to be an ally of the West.

At the OSCE summit in Budapest just a few days before the first Russian military intervention in December 1994, Western leaders did not bring even up the subject of the expected invasion – something the Russians understandably took as tacit support for what they were planning to do. The next year, at the height of the fighting, Russia was accepted into the European human rights forum, the Council of Europe, and received extensive IMF loans. In 1996 Western leaders extended their support to get Yeltsin re-elected president.

In Moscow in April 1996, President Bill Clinton was asked a question on Chechnya and chose to make a spectacularly inappropriate

comparison to Abraham Lincoln in his reply. Clinton said, “I would remind you that we once had a civil war in our country, in which we lost on a per capita basis far more people than we lost in any of the wars of the twentieth century, over the proposition that Abraham Lincoln gave his life for, that no state had a right to withdrawal from our Union.”

All this was a source of continuous pain and frustration to those Russian liberal politicians and human rights activists who believed that they subscribed to “European values” and who desperately wanted to enlist Western – in particular European – support in their campaigns to stop the killing in Chechnya.

The former dissident Sergei Kovalyov, Russia’s best-known human rights defender, has recounted a sharp exchange he had with Ernst Muehleemann, the Swiss chairman of the Council of Europe’s committee on Chechnya during the 1996 presidential election campaign. Kovalyov complained that the council was being soft in its criticism of Russian war crimes. He says that Muehleemann responded by saying, “What do you want? For [Communist Party leader Gennady] Zyuganov and not Yeltsin to be chosen at the elections?”

When Yeltsin finally came to his senses and abandoned his military adventure in Chechnya in 1996, it was not because of foreign



A Russian armored personnel carrier drives past a Chechen civilian January, 1995 in Grozny. Photo © Malcolm Linton

pressure, but because of low morale in the army and plummeting public support for the war inside Russia.

One Western European did play an honourable role in bringing the conflict to an end. The Swiss professor Tim Guldemann, head of a tiny six-member OSCE delegation in Grozny, was the broker of a peace agreement that saw a Russian military withdrawal, internationally monitored elections and a five-year postponement of a decision on the final status of the relationship between “the Chechen Republic” and the “Russian Federation.”

However, after the OSCE successfully monitored the January 1997 presidential elections in Chechnya, the international community again lost interest in the republic and its newly elected leader, Aslan Maskhadov.

Between 1997 and 1999, Chechnya collapsed into chaos and lawlessness. Maskhadov must bear some of the responsibility – but so must Russia and the rest of the world, which gave almost no economic assistance to what was one of the most devastated parts of the planet. The Chechen leader toured foreign capitals and was given cursory attention everywhere he went.

RADICAL ISLAM TAKES HOLD

In ruined post-war Chechnya, radical Islam began to flourish, as it had not done before. Saudi preachers and proselytisers began to come into the republic, finding natural recruits in many young fighters who had just come through the war.

“There is a real danger that it will take another atrocity like the theatre seizure in Moscow to draw attention to Chechnya again. It is possible that the war that spread from Chechnya to Moscow will now flare up somewhere else, perhaps in Europe.”

There was strong resistance to the new Islamists within Chechen society. A significant number of Chechens were secularist, along with millions of other nominally “Muslim” Soviet peoples. Most of those who were religious were Sufis, adherents of a strongly idiosyncratic version of Islam that had almost nothing in common with the fundamentalism being imported from the Middle East.

Chechen society fractured. Maskhadov had publicly rejected the Islamist route on many occasions, but he was also indecisive, and was constantly seeking consensus with all the armed groups that laid claim to victory over Russia in 1996. The rebel movement began to split between the Islamists and the moderate nationalists. Life became intolerable for ordinary Chechens, as their republic was wracked by lawlessness and kidnappings.

The decisive moment came in the summer of 1998, when a group of Islamists rose in open rebellion against Maskhadov’s govern-

ment. Loyalists fought a pitched battle with them outside the town of Gudermes, and dozens of Chechens were killed. Maskhadov decided not to arrest the Islamists but instead let them go free. At the same time, he abandoned Dudayev’s secular constitution and introduced nominal Shariah law.

A little earlier, as we now know from a Wall Street Journal report, Osama Bin-Laden’s right-hand man, Ayman Al-Zawahri, had decided to visit Chechnya. Using a false name, he got only as far as Dagestan to the east, where he was arrested. He spent six months in a Russian jail before being deported, his true identity undiscovered.

Chechnya’s ever-closer embrace with radical Islam was by no means inevitable. Even now, Chechen human rights workers estimate that only around one tenth of the population is sympathetic to the “Wahhabis,” the catchall term for the fundamentalists.

As ever, the Russian hardliners made the difference. Boris Yeltsin and Vladimir Putin’s second military intervention in Chechnya in 1999 drove the different Chechen separatist leaders back together: the moderate Maskhadov with the radical nationalist Shamil Basayev and the Islamist Zelimkhan Yandarbiev.

The international element now began to make a difference. Many of the fighters were driven over the mountains into Georgia. They gathered in the Pankisi Gorge area, 70 km from the Chechen border – a valley inhabited by Kists, an ethnic group descended from Chechens who fled south across the Caucasus in the 19th century.

THE GEORGIAN CONNECTION

It was here, rather than in Chechnya itself, that foreign Islamists began to form lasting ties with the Chechen extremists. The Georgian security services have recently confirmed what they long denied: that for three years the Pankisi Gorge was basically out of their control and home to a mix of several hundred “foreign Mujahadin” and Chechen fighters.

We do not know what they plotted there. We do know that, after Russian and American pressure last year, the Georgians moved to take back control of the Pankisi and the militants scattered. Most of the Chechen fighters, it seemed, went back to Chechnya. Where the “mujahadin” have gone is anyone’s guess.

This adds a frightening new element to the Chechen conflict. But it should be stressed that the Georgian connection was a sideline

to the war, not its main theatre. None of the main Chechen rebel leaders crossed into Georgia – they are still leading a guerrilla campaign from the mountains of Chechnya itself. The Russian generals have a strong interest in talking up the Georgian connection, because it diverts attention from their failure to win a military victory inside their own territory.

It is also important to stress that while the extremist Chechens began to dally with al-Qaeda and international terror, Maskhadov sought – and still seeks – a peaceful accommodation with the Russians. He appealed to Western institutions like the Council of Europe and the OSCE, trying to use his legitimate status as Chechnya's elected leader to enlist outside mediation in the new conflict.

A SETBACK FOR PEACE

As recently as last summer, serious efforts were underway to initiate a new peace process. A dialogue initiative had begun between representatives of the rebels and a group of Russian and Chechen pro-Moscow politicians. Akhmed Zakayev was the key mediator on the Chechen side. The talks culminated in a broad-based meeting in the Duchy of Liechtenstein in August.

A second stage of the process was to have been the World Chechen Forum in Copenhagen in October. But this was blown out of the water by the appalling mass hostage seizure in Moscow a few days before the congress was due to begin.

The Russian journalist Anna Politkovskaya, who went into the theatre to talk to the hostage takers, said afterwards that there were two camps amongst the security personnel dealing with the siege. One camp was happy for her to go in to the theatre and try talking to the hostage-takers; the other was extremely hostile to her – they were impatient to start using force.

When the siege ended, the hawks prevailed. Russia ordered the arrest of Zakayev and called for his extradition from first Denmark and then Great Britain. President Putin categorically rejected the idea of negotiations with Maskhadov, comparing him to Osama Bin Laden. Finally, the Russian government called for the downgrading of the OSCE mandate for Chechnya, resulting in the closure of its mission at the end of 2002.

The OSCE mandate spelled out that it had a duty to “promote respect for human rights and fundamental freedoms, and the establishment of facts concerning their violations.” Clearly this was one reason why it had to be removed.

A peaceful resolution of the Chechen conflict is very much back to square one. The “constitutional referendum” in Chechnya that took place in March of this year was patently a device for the Kremlin to try and entrench its chosen loyal leader, Akhmad Kadyrov, in power. Yet Kadyrov is part of the problem, not the solution. His government offices are still in ruins after the terrifying suicide bombing that devastated them in December.

With the OSCE gone, the only international organization with any role in Chechnya is the Council of Europe. Its rapporteur Lord Judd made genuine efforts to remind European governments about the bleeding wound of Chechnya. But he resigned in March in protest at the Russian Government's insistence on going ahead with the referendum. More recently, the Council of Europe's Parliamentary Assembly called for a war crimes tribunal for Chechnya to end the climate of impunity surrounding the conflict, but the head of the Russian delegation rejected the proposal.

There is a real danger that it will take another atrocity like the theatre seizure in Moscow to draw attention to Chechnya again. It is possible that the war that spread from Chechnya to Moscow will now flare up somewhere else, perhaps in Europe. At that point Chechnya may finally rise to the top of the agenda of the outside world. What state Chechnya itself will be in by then and whether it is repairable are different questions altogether.

The biggest losers in this tragedy are Chechnya's forgotten majority – those ordinary Chechens, who reject both the marauding Russian military and the extremist Islamist militants, but are unprotected from the ravages of either. They desperately want some kind of international guarantees for their day-to-day survival – but currently the world prefers to look the other way.

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AN INTERVIEW WITH OLEG ORLOV

BY ALICE LAGNADO

Oleg Orlov is one of the leaders of Memorial, Russia's leading human rights organization. He visited Chechnya most recently in February 2003. This interview was conducted by Alice Lagnado in Moscow on March 27, 2003

ON WHAT SCALE ARE WAR CRIMES BEING COMMITTED IN CHECHNYA?

War crimes are committed on a regular basis, but they have changed in character during the course of the conflict. During the first stages of the conflict, when a large-scale military campaign was being fought, war crimes were mainly committed when, for example, no measures were taken to safeguard the civilian population from artillery and bombing, or sometimes when artillery or bombing was directed at villages that were full of people, that had not yet been abandoned by civilians. Or the bombing of cars when it wasn't clear whether rebels or civilians were inside. Or, a perfect example, the missile strikes that hit the centre of Grozny, killing large numbers of civilians.

When the military campaign became a low-level guerrilla war, fewer people died from bombing or shelling, though some continued to die. War crimes were still committed, in our view, since throughout the war, the safety of the civilian population was simply not a consideration. Ordinary Chechens were not protected, and this was not just by chance. The Russian military could not have been unaware that deaths among the civilian population would be unavoidable as a result of their actions.

As the situation in Chechnya changed, so did the type of war crimes that were committed by Russian troops. Let's take the 'zachistki' or sweep operations. A zachistka is when a town or village is completely surrounded and blocked off, and house-to-house searches and ID checks are conducted. The house searches are not sanctioned by the prosecutor's office. Those who are under suspicion of involvement with the separatist campaign are detained.

These operations are usually accompanied by crimes against the local population. Robberies on a mass scale are the most common and basic form of war crime. This doesn't just mean that the troops or police take people's money. These are organised operations in which, quite openly, right in front of the local population, people's property is loaded onto trucks or armoured personnel carriers. This is not just a matter of a few undisciplined soldiers and clearly sanctioned by the officers. For the military, it's a business.

But far worse crimes than robbery are committed. People are arbitrarily detained and taken away from their villages to so-called temporary filtration points.

Filtration points are absolutely unlawful; they are places not sanctioned by any law, without any sanction of a prosecutor or court,

where people are interrogated. No records are kept of who is being detained in these places.

After being questioned, those who are still under suspicion are taken somewhere else so investigations can be continued. The Russian forces try to extract evidence against people who live in the same village as the detainee, against their neighbours and even relatives, and try to establish who supports the rebels in that village.

A large number of detainees are freed but some are taken to official temporary detention centres. Others simply disappear. This is also a war crime: these people disappear without trace. Officials will take no responsibility for these people and will even refuse to admit they were arrested in the first place.

When a detainee disappears completely it may mean they have died during the course of interrogations at the filtration point; more often it means the detainee is suspected of having ties to the rebels. They are suspected of knowing more than they say they know and so Russian forces continue to work with them. Work, in the sense of brutally interrogating them.

If the bodies of these detainees are found, they usually bear the marks of torture and violent death; it's clear that they were brutally tortured in order to try to extract information from them before they died. Sometimes, particularly over the past few months, security forces blow up the bodies in order that they cannot be identified. But in some cases they still can. When 10 bodies were found in January, in the outskirts of Grozny, two of them were positively identified and it was established that they had been detained earlier by federal forces.

The Russian Prosecutor's office has told us that it recognises that people are sometimes detained by federal forces and that they sometimes disappear during zachistki.

For example, in April last year there was an infamous zachistka in the village of Naskir Yurt. Many people were arrested by unidentified armed men in camouflage uniform and disappeared. When we questioned the Prosecutor's Office they were forced to admit that there were records showing that several people had been detained during a special operation. In some cases the records said they were taken away for document checks and in some cases it said they were taken to filtration points. So the Prosecutor's Office did admit that this type of thing goes on. Guerrillas and bandits would hardly take people to filtration points, would they? But then they said they would not be able to find those guilty of committing these crimes. The investigation was closed.

About filtration points: at this point in the second war in Chechnya there are no permanent detention centres. These existed in the first period of this war, but are now all temporary, they are called temporary filtration points and are used for a day, a week or more. They are guarded areas – perhaps a disused factory or farm or just a bit of land enclosed with

barbed wire, perhaps even tents, sometimes people are just detained in the open air but in an enclosed area which is called a filtration point.

The detainees are brought in, undergo checks, may be tortured, are interrogated and very often held in covered vehicles. They bring the detainees in one at a time for questioning, they torture them, usually using electric shocks, they let them go, or sometimes they don't, they take them away and bring in the next ones. When they finish their work they leave, it's a temporary set-up.

A temporary filtration point is the official name given to such set-ups by the federal forces, although there is no understanding of such a concept in any Russian legislation. We have spoken to the Prosecutor's Office during a number of meetings they have held with human rights organisations, and they say yes, these zachistki do not figure in any legislation, but they do go on.

WHO COMMITS THE WAR CRIMES?

The zachistki are carried out both by contract soldiers and ordinary conscripts, and also by police who have been brought to the region from all over Russia. There are less contract soldiers now in Chechnya because they have gained a bad reputation among the local population. They are known to be more brutal and to carry out more robberies from people's homes because they have come to Chechnya in order to make money.

The men who beat up detainees at filtration points, however, are professionals, not young conscripts or contract soldiers. These men work for the Interior Ministry and the FSB [the main Russian successor agency to the KGB].

“But the practice of kidnapping people during the night and ‘disappearing’ them is on the rise.”

Then there are the death squads and the men who kidnap civilians at night-time. The men who carry out kidnappings of civilians at night-time are organised groups from the Interior or Defence Ministries or from the FSB. It's not a matter of a few undisciplined soldiers.

We know this because when we have found the remains of local people in mass burial sites, these are people who have been taken away from their homes, not people killed during fighting. They have been brought there at different times and from different towns and villages, but buried together in one place.

YOU VISITED CHECHNYA IN FEBRUARY. ARE ZACHISTKI STILL PREVALENT?

Recently Russian forces have used different methods to detain people. They don't block off entire villages but go to the houses of specific individuals, using information they have obtained earlier.

Nothing so awful about that, it might seem, all within the boundaries of the law, but unfortunately it's not that simple. They come at night in armoured personnel carriers or trucks and no one knows who they are – police, soldiers, FSB.

These armed men, often masked, surround a house, they don't show the villagers any ID, though according to the law they must show ID and have papers authorising a house search. But we all know that it is only Russian soldiers who travel around in armoured personnel carriers.

When they get inside the house, they act with absolutely no regard for the law. They carry out a thorough house search, detain people and take them away. In the best-case scenario they tell the detainees' relatives where they're going. Mostly they don't bother.

It's amazing – the authorities know who directed the zachistka, which federal forces carried it out, which precise military or police unit, but they say they can't find the guilty parties. It's clear they simply do not want to find them.

Recently there have been less zachistki, possibly because of the referendum, and President Putin did himself say that the practice of large-scale special operations, i.e. zachistki, should be stopped. But they do continue – in January, for example, there was a very brutal zachistka during which people died.

But the practice of kidnapping people during the night and 'disappearing' them is on the rise. It's not only our research that shows this – it has been confirmed by the Moscow-backed administration in Chechnya, headed by Akhmad Kadyrov. Last December officials of the Kadyrov administration, Chechen ministers and regional officials wrote to Putin complaining precisely about this matter and requesting the president to protect them from this violence.

The increase in these night-time operations coincided with the first discussions on the referendum in early December. Nothing changed as a result of the letter – in fact, the opposite happened. These operations continued on a large scale during January and February. We're talking about hundreds of cases.

I would like to add that for Chechens living in the mountainous regions of southern Chechnya things are very hard right now. Since last autumn people have simply been fleeing their villages in the mountains to get away from the serious guerrilla war there. There are extra troops there, there are zachistki, shellings, and people are fleeing to the plains in the north. We and the international community have some information in what's going on in the plains but we only get information about

the situation in the mountains after a significant time–delay. The mountains of Chechnya are cut off, it's hard to get out, and hard for us to get there, and we only find out what is going on there late or not at all.

I'm talking about Vedensky region, where there are major clashes continuing between Russian forces and Chechen rebels, also Nozhai–Yurtovsky region, and to a lesser extent Shatoisky region.

To a considerable extent the Chechen fighters are responsible for this situation – they start to attack the Russian forces and mine APCs, and the federal forces strike back, and usually it's the local population, the civilians, that suffer most of all.

WHERE DO THE MOUNTAIN VILLAGERS FLEE TO?

To the plains: to the Gudermes, Grozny, Selsky and Shalinsky regions. Naturally they all want to get to the northernmost parts of Chechnya – the Sholkovsky, Naursky and Nadterechny regions, where it is most peaceful. But we know that the local authorities there are not willing to take them in. They tell them straight: we won't register you here.

Local officials have a simple explanation: they say these people have come from areas where the guerrilla war is still raging and that perhaps some of them support the rebels. The local authorities fear that these people will bring the zachistki with them. So these people who have fled from the mountains are left without any legal documents and therefore cannot receive any kind of official benefits.

That doesn't mean that things are quiet in northern Chechnya. It's mined, APCs get blown up, there's shelling, attacks, including in Grozny, but the more intensive fighting goes on in the mountains. Official reports say that Russian air attacks are continuing in the mountains.

DO YOU THINK THERE IS A MESSAGE FROM THE TOP, SANCTIONING WAR CRIMES?

We do not have a final opinion on this; we can only speculate.

We do not think that there were any orders from Moscow concerning the brutal treatment of civilians. It may well have been agreed in Moscow that in principle, zachistki should be carried out, but we do not think there would have been any special orders to use torture and to kill during these operations.

The generals who oversee these operations, however, have a clear understanding of what should be done. And I do not think the overall commander of Russian troops in Chechnya is unaware of what happens during these operations. They just close their eyes to what's happening.

Death squads are a separate issue. We do not think there are direct orders from the Kremlin for these squads to operate. But it's possible orders could have come from structures like the Interior Ministry or the FSB – that is what we suspect, anyway.

HOW DO YOU ASSESS THE RECENT REFERENDUM IN CHECHNYA?

We do not consider that this was a genuine referendum. The right conditions for a referendum to be held were not there. There was no free debate about the different options on offer – primarily because it was unsafe for people to promote one point of view or another, and also because the media is strictly controlled by the authorities. There is no independent media.

Additionally, the authorities from top to bottom campaigned for people to vote "yes" and accused anyone who disagreed of assisting the rebels and wanting the war to continue. In this atmosphere of terror, no one could discuss the issue properly.

“I do not think the overall commander of Russian troops in Chechnya is unaware of what happens during these operations. They just close their eyes to what's happening.”

Secondly, during the referendum there were serious transgressions. For example in Grozny there were fundamental and disgraceful discrepancies between the number of people who had actually come to vote and the numbers of voting papers counted. This referendum will not bring anything good to Chechnya.

WHAT, IN YOUR VIEW, SHOULD RUSSIA DO TO TACKLE THE SITUATION IN CHECHNYA?

If Russian troops simply pull out of Chechnya there will be very serious consequences. Large numbers of people will be killed by the guerrillas and large numbers will simply have to be saved, to be brought out of the region. And what kind of regime would there be in Chechnya? It would in all likelihood be dramatically worse than the administration that we had between the wars, under Aslan Maskhadov. Chechnya would be ruled by a criminal regime.

In our view the only solution is to make a serious effort to hold talks and to compromise with the rebels. The Russian Government tries to say it is in favour of compromise and political talks. In fact it does business with people it has hired itself – i.e. the Kadyrov administration.

But talks need to be held with some of the rebels. There are very different groups among the rebels. Talks should be held primarily with Maskhadov. The international community has got to be involved in talks; and we need observers such as the OSCE.

DO YOU THINK THE REBELS ARE READY TO MAKE COMPROMISES?

They differ enormously. Some of them, like Maskhadov and his supporters, have demonstrated on several occasions that they are ready for talks and compromises. We can only find out if they are genuine by starting talks.

This idea that Maskhadov is weak and does not control any of the fighters in Chechnya is a ploy. He controls at least some of the rebels, and not just a small section either. Some of the rebels will want to go on fighting. But that's just the reality and we should hold talks with those who are ready to do so.

More than that, starting talks with Maskhadov will strengthen Maskhadov's standing, including among the rebels.

WHY DO YOU THINK THE RUSSIAN GOVERNMENT IS NOT HOLDING PEACE TALKS WITH THE REBELS?

President Putin and his immediate entourage want to end the war – they don't need it. But they don't want to weaken their relationship with the Interior and Defence Ministries and with the FSB, which form a vital part of the president's support base.

WHAT SHOULD THE WEST DO?

Western politicians should take a position of principle. At the moment their position is unprincipled.

The West has always said it should not put too much pressure on Russia, that Russians will work out what to do for themselves. The West said it would pursue a policy of constructive dialogue with Russia – a critical but constructive dialogue. But what actually happened is that there was a dialogue, but without the critical part. In the end, Russia was mostly just handed praise. This was how things were even before September 11.

I have argued many times with European politicians, who promote a softly-softly approach to Chechnya. I have said that it would be in the best interests of Russia, Chechnya and Europe to have a tough, uncompromising dialogue with Russia on this.

Interestingly, without any help from Europe or the West in general, Russian public opinion has turned against the war in Chechnya. At the start of the war Europe said: the Russian authorities will not listen to us, the Russian public does not care.

In fact, most Russians are now against the war – and have reached this opinion without any help from Western politicians. The West could take advantage of this, and be extremely tough on Russia. This could force our president – who doesn't need this war, who needed this war in order to rise to power – to start to really get his act together.

WHY DOES CHECHNYA SEEM TO PROVOKE SUCH STRONG EMOTIONS IN PUTIN?

Putin himself probably does not know what to do and probably does not want to understand. Chechnya for him is a tough psychological issue. He seems calm and sensible, until you start talking about Chechnya. He is the same to a lesser extent when you start talking about freedom of speech.

Alice Lagnado is a freelance journalist based in Moscow.

CHECHNYA: BRUTALITY AND INDIFFERENCE

BY ANNE NIVAT

"It was Thursday, 24th October – the second day of the Nord–Ost hostage crisis. Around three in the afternoon, six men in balaclavas kicked down the door and burst into our home. They were armed and wearing camouflage fatigues with the insignia of the Russian interior ministry. Without a word they seized Ahmed, my twenty-two year old eldest son, and dragged him outside. They tied him to a telegraph pole. Then they shot him to pieces and vanished. I had to go and pick up scattered bits of his brains." The hollow-voiced speaker is Fatima, thirty-seven, a mother.

This horrific scene took place in the village of Kalinina, a section of Grozny. The entire family (the mother, four daughters, and two

Russian non-commissioned officer tell his wife shamelessly, "We'll be back when only skirts are left in this place". In the queue of Chechens waiting, like him, to call their loved ones, there was no great reaction – just a few ironic smiles. At least his answer was clear. A good half of the population, convinced that it will set back the Chechen cause, are critical about what took place at the theatre. Others have some difficulty hiding their sympathy for an act which, while certainly barbaric, did no more than "do to a handful of Muscovites what Chechens have endured routinely for three years".

Rumour has it that Movsar Barayev, the leader of the unit that seized the theatre, simply could not have acted alone, that he must have had accomplices among the ranks of high Russian officials. Although this hasn't been reported in the Russian media, the word is that Zelimkhan Yandarbiev (the separatist president from 1996

"...Chechnya can never be subject to Russia again. We have nothing in common. After the shameful barbarism that we've witnessed, what human relationship could we conceivably have?"

other sons less than ten years old) witnessed the killing of Ahmed, yet they have all kept silent, overwhelmed. What can they say? What can they do? What legal recourse could they hope to have? Operations of this sort, undertaken by "death squads", have become commonplace in Chechnya, where nothing shocks anybody any more. "They didn't explain a thing, and I can't prove it even happened. I'll never know why my boy was killed when he wasn't a soldier," says Fatima simply.

I've been to Chechnya many times since the beginning of the war more than three years ago, and it is always the same: the drone of distant bombers, the dirty and dusty armoured cars posted along the roads, the indolent yet always arrogant way that the soldiers stop any vehicle and ask for documents from the drivers, but above all the accounts of the "zatchiski", the violent mopping up operations carried out by the Russian forces among the civilian population. According to Aslan Maskhadov, the separatist president whom I interviewed yet again in July, "nobody really knows what the raids are for, and the effect is counter-productive: every zatchiska adds to the numbers of the resistance! The will to fight, to kill and avenge the blood of our fathers and mothers and sisters increases all the time. Those who until a short time ago were still loyal to Russia now see the true face of the enemy, and understand that Chechnya can never be subject to Russia again. We have nothing in common. After the shameful barbarism that we've witnessed, what human relationship could we conceivably have?"

Since the Nord–Ost hostage-taking, the tolls at road crossings have doubled, and the raids have become more dangerous and more frequent than ever. At a public call box in the capital, which I visited precisely to garner this kind of information, I overheard a

to 1997, now fled to Qatar) and Shamil Bassayev had for a long while been looking for someone to lead such an action in the hope of persuading the Russians to agree to peace talks. Barayev's team, it is said, would have accepted to do it for \$600,000. The unit apparently expected that they would not be killed by the Russians – this would explain why they refrained from killing the hostages when the gas was first let in to the building, although they would have had the time to do so. Bassayev, long suspected of having links with the FSB, the former KGB, had apparently promised them that they would emerge unscathed.

More worrying still, personal statements that I have collected make clear that, two months before the hostage-taking, the GROU, the secret service of the Russian army, had announced Barayev's arrest. The implication is that he would have been held until his "release" to lead the hostage taking at the Doubrovka theatre. At Assinovsski, a village close to the border with Ingushetia, which is where two of the unit's women came from, their mothers say that they had been arrested and taken to an unknown destination at the end of September. Secretive in the presence of the outsider that I am, and still considerably shocked, they won't say more. "Barayev was specifically sent to Moscow to discredit us in world opinion by making plausible links between al-Qaeda and our fight for freedom," storms Daoud, 55, a refugee in Ingushetia recently forced to come home. "They made him believe that he'd be a hero, a peacemaker, and the idiot believed them!" On the same tack, nobody quite manages to believe that there were fifty hostage-takers "given that we were never shown more than six or seven corpses," as Daoud puts it. "As for the explosives strapped around the waists of the women, they hardly seemed real. And what's more, they never used them."

At Grozny, as elsewhere, every night crackles with almost uninterrupted machine-gun fire after seven in the evening. Fired at random, for no reason, by bored soldiers from a nearby position who have nobody to fight. In the morning, at Novye Atagui, waiting to board the bus for Chali, the passengers hesitate to get on as a tank has blocked the centre of the road and is moving forward at walking-pace. Two soldiers accompany it and empty their magazines into the houses beside them. “Are they drunk, or what?” somebody asks. At his wheel, the driver volubly annotates the political situation: “Everything has always been done to keep us Chechens down. It’s not to the advantage of anybody, in the Kremlin or anywhere else, that this situation should end!” The old women bow their heads, reflectively. As they go past the graveyard they open their palms in the sign of prayer and murmur a few verses of the Koran. Outside, a group of kids, each equipped with a fifty-litre jerrycan on wheels, is off to get water from the well. Since the shops have been destroyed, there are only a few scrappy notices on the walls. “Video tapes,” they say, “drinks for 6 roubles, radiators repaired, wedding dresses.” Mercedes cars, Volgas, Ladas, and BMWs keep each other company on roads each in worse repair than the next, without any visible rules of the road. Young soldiers, seemingly with nothing to do, gather around makeshift braziers not far from their armoured vehicles, which are hunkered down on the roadside verges. “That’s how they protect us!” one young woman comments ironically, before undoing her blouse to offer her breast to her howling child. Behind her, not far off, helicopters at daisy-cutter height fire a few rockets...

In Grozny, on a Monday at the end of November, it’s hard to carve a path between the shoppers crowding around the stalls of the central bazaar – even though the aisles were widened last summer. But the market remains a dangerous place, where one can sometimes pick up the latest number of *Ichkéria*, the banned jour-

nal of the separatist government, and where one also comes across large numbers of “narks”, the plainclothes Chechen policemen whose job is to denounce “any individual whose behaviour or appearance might be suspect”. At the end of an aisle, Ramzan, an ex-boyevik or Chechen fighter in his thirties, has made a new career with his wife, selling socks: “Those who are still in the mountains still believe in it all, but I’ve let it all go”, he says, constantly checking to make sure he’s not overheard. “Fighters even give each other away for a hundred dollars,” he sighs. “Last week, when they heard that a boyevik was here, the OMON [special units of the official Chechen police] arrived and killed him right in front of everybody!” According to Ramzan, the Chechen people are exhausted – “they turn a blind eye to everything,” and in so doing put up with Russian authority.

On what used to be Lenin Avenue, now Liberty Avenue, an army of old women in turbans picks up the dead leaves as municipal workers re-lay the tarmac here and there. Close by the town hall, the seat of the Russian-appointed mayor of Grozny, Oleg Zhidkov – and formerly the palace of Aslan Maskhadov – a few pavements have been relaid and a few buildings given a coat of paint. Their pastel colours make a stark contrast with the prevalent dirty grey. There’s even a park of thuja trees being constructed next to the town hall.

Recently, a huge traffic roundabout has appeared in the middle of the Minoutka crossroads, even though the conical piles of debris all around have not yet gone. The novelty is that, in the absence of traffic lights, traffic policemen in brand-new uniforms have started appearing there. In Chechnya today there is a growing gulf between those who have been able to find some kind of governmental work, in the pension administration, the railways, the schools or in various institutes and the others, those who still aren’t working, not knowing how to choose between “joining the police and becoming a traitor or going on the building sites and not getting paid”, in the phrase used by several of those I spoke to. “Our wages are paid, our pensions, there’s electricity and gas, and the zatchiski are now after specific people. What more can one ask for? Sure, it’s still war. Sure, it’s inhumane and ought to be stopped...But meanwhile, life has to go on”, wearily explains Medina, 50, and married to a teacher. She adds that during the three days of the hostage crisis, people were frightened that Putin would agree to make a deal with the hostage-takers, in the manner of what happened after the hostage incident at the Boudyonnovsk hospital in 1995, which could have resulted in the formation of a “weak” government like that of Maskhadov in the period between the wars, “when nobody was paid”.

“For many Chechens, this kind of trade is good proof that those who profit from the war are working hand in hand with a single shared purpose: that the war should not end.”

According to Biboulat (48), Medina’s husband, forty-eight schools are operating today in the capital and about twice that number are needed. He teaches in school 44, which re-opened in the spring of 2000. There are 280 pupils, compared with 150 last year, and all classes take place in Russian (but there is a Chechen language class). “The state gives absolutely no help at all. Neither books, nor heating, nor tables and chairs – nothing,” the teacher observes bitterly. “The only thing that comes from the state is our wages, 4000 roubles (125 Euros) a month.”

In the October district, one of the worst affected by the destruction, the army quite openly does business. Every day, soldiers methodically dismantle the houses in whichever street they have previously closed for the purpose, and sell the “spare parts”

(windows or doors, tiles and so on) for modest prices. Their behaviour shocks even the few Russians in the district, who know how difficult it is to protect property from marauders. As for the buyers, they, too, are well aware of where the merchandise comes from. They too have been dispossessed the minute their back was turned.

After the group under the warlord Ruslan Gelayev returned to Chechnya from Georgia – he’s currently receiving medical attention in the mountains – several hundred boyeviki scattered over the west of the country, not to mention over the border into Ingushetia. Khamzat, 35, is one of them. Temporarily based in Ingushetia, he moves around at night and never stays in the same place two days running. “The local authorities over there were beginning to take notice of our presence,” he explains. “That’s why we left.” According to him, when they first reached the gorges in May of 2000, his group numbered some 300. Now, he reckons they are more like 700. In all the time they were there, the Georgian authorities, and indeed the Russian ones, “knew we were there but took no measures against us.” “The fighters were spread over several villages in the Pankisi valley, where we set up four separate training camps,” he explains. “Some of the youngsters from other republics such as Kabardino-Balkaria or Ingushetia did not really know how to handle arms and weren’t in good physical condition. We had to teach them. It took us three exhausting months on the march to come back, during which we suffered very much from lack of provisions. We only met Russians at Galashki, in Ingushetia, and there it was very bloody. They lost many more men than they let it be known in the media.” Today, Khamzat and his group (perhaps thirty boyeviki) are “hibernating” while they wait for precise orders from the “high-command” of Aslan Maskhadov.

Also in Ingushetia, some very peculiar negotiations have been known to take place. On Thursday November 28, near the border, I chanced upon a scene which is not all that unusual. A car containing two Russian conscripts, prisoners of war, awaited the arrival of another car bearing officers of the FSB. As soon as the Russian secret serviceman had handed over, in cash, \$2500 for the return of each prisoner, the soldiers furtively switched cars. The following day, Rossia, the number two Russian television channel, announced the “heroic” liberation of these prisoners with no mention of the ransom. For many Chechens, this kind of trade is good proof that those who profit from the war are working hand in hand with a single shared purpose: that the war should not end.

Translated from the French by Francis Hodgson.

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PREVENTING THE SPREAD OF CONFLICT IN THE REGION

BY ANDRE KAMENSHIKOV

The North Caucasus, with its chain of ethnic republics, remains the most troublesome region in the Russian Federation. On top of the economic and social problems that are common to all regions of Russia, the North Caucasus faces a number of particular difficulties: the continuing bloodshed in Chechnya, the high level of tension between different communities, and the legacy of earlier conflicts and natural disasters.

As a result, the region has become the focus of much international humanitarian effort – there are many assistance programs that have been organized by UN humanitarian agencies and by several other organizations. These programs cover a wide range of tasks, all aimed at helping the victims of the violent conflicts that have taken place in the North Caucasus. In 2001, according to the UN Office for Coordinating Humanitarian Affairs, over \$80,000,000 was received by UN agencies and other organizations to provide humanitarian assistance to people in the region.

This money has been spent on programs covering a wide range of different needs: protection of refugees, food aid, the provision of shelter, clean water and sanitation, mine clearing, the rebuilding of infrastructure, and medical assistance. However, while all of these are undoubtedly important, the scope of international involvement has remained limited. It has been focused on dealing with the consequences of conflict in the region, not its causes. There has not been a comparable effort to prevent future conflicts and foster peace between divided communities.

Another weakness of the international humanitarian approach is that all action has been focused around the current war in Chechnya. Resolving the current Chechen crisis is of course paramount for securing a sustainable peace in the region – but it would be a mistake to overlook the problems created by earlier violent conflicts and, especially, to avoid supporting conflict prevention programs in other areas where tensions are high, and could escalate into full-scale conflict in the future.

This raises the question of whether there are ways in which civil groups in the region might not only address the consequences of conflicts, but also influence the course of events in areas where tension is high between communities or ethnic groups. Are there ways to work effectively outside the “humanitarian dimension,” or is this too much to expect from the poorly developed civil structures that are to be found today in the North Caucasus?

A chance to put this question to the test was presented when the Moscow based Open Society Institute began to implement a program called “Hot Spots”. For the first time, a foundation working in the North Caucasus set itself the goal of developing practical peace-building initiatives in the region, rather than just supporting humanitarian and human rights programs.

Since 2001, OSI's Hot Spots program has put in place a number of complex peace-building programs in several regions of the North Caucasus. These programs were designed to address the most serious problems faced by the local populations, to have an impact that would last beyond the duration of the projects themselves, and to be inter-connected, so that they would be mutually beneficial and have a cumulative effect. The aim was to identify specific issues that might generate conflict, and make them the focus of the projects.

To receive funding, programs had to satisfy a set of requirements: they had to concentrate on a specific regional problem; to incor-

porate activities that involved a wide spectrum of the population; to include specific activities that promoted mutual understanding (meetings, cultural and sporting events, joint labor projects, round tables, etc.); and to encourage the various participants to work together in a co-ordinated way.

The projects undertaken so far have been focused on three regions: the Karachai-Cherkess republic, north Ossetia and Ingushetia, and the Chechnya-Dagestan region.

THE KARACHAI-CHERKESS REPUBLIC AND NEIGHBOURING REGIONS

The Karachai-Cherkess republic is the only one of the regions that were chosen for the implementation of complex peace-building programs that has not experienced war in the last decade. Obviously, in such a situation, the goal of peace-building efforts in the area is to strengthen regional stability, decrease tensions, to help the various groups in channeling their demands into constructive forms of behavior, and to develop a positive dialogue. Overall, the goal is – to prevent a possible violent conflict.

Despite the advantage of not having the legacy of a war to contend with, the situation in this region presents several problems. The local civic sector is poorly developed, even in comparison with other regions of the North Caucasus. There is no history of outside organizations working in the republic. Paradoxically, the fact that the region has not experienced first-hand the effects of armed conflict means that some groups – and especially some nationalist leaders – see armed struggle as a realistic (albeit perhaps distasteful) means of achieving their goals and objectives. And the struggle between different groups and individuals for control over

property (which was experienced by all regions in Russia after the fall of the Communist system, and often was a prime source of conflict) remains much more acute in Karachai-Cherkessia than in most other Russian regions.

At the heart of the tensions in Karachai-Cherkessia are divisions between the Turkic and the Circassian ethnic groups inhabiting the area: the Karachai and Nogai peoples on one side, and the Cherkess and Abazin on the other. Representatives of the different ethnic groups in this region have little direct contact, and the initial project here – “First Step to Mutual Understanding” – was aimed at selecting groups of people, from different social and polit-

ical levels, who could form the basis for a constructive dialogue between the communities.

However, as we move from Phase One to Phase Two in 2003 we need to prepare for an increase in internal tensions in the region, due to the upcoming Presidential elections, expected to take place this year. Thus, the projects that have been developed for 2003 are focused on engaging crucial groups of the population in dialogue and joint activities during the pre-election period.

IN NORTH OSSETIA AND INGUSHETIA

In the fall of 1992, a violent inter-ethnic conflict took place between the Ossetian and Ingush communities. The basis for this conflict, which had deep roots, was a dispute over territory in the Suburban district of North Ossetia (which the Ingush claim because it was part of the Chechen-Ingush republic before both peoples were deported to Siberia and Central Asia in 1944). Since 1993, a process of reconciliation between the two communities has been underway – but it has proceeded very slowly. There have been times when a resurgence of tensions has threatened to overwhelm the progress that has been made in the process of post-conflict recovery.

The goal of civil peace-building programs in this region has been primarily to improve the moral atmosphere, to get rid of negative ethnic stereotypes, and to overcome the psychological barriers between the two communities. Many Ossetians who live in the conflict zone still maintain that the two communities cannot live side by side – a position that was officially voiced by the former leadership of their republic.



The very slow process of resettling the Ingush refugees, which is far from being complete, has not been matched by any actual improvement in relations between the communities. Thus, if some of the obvious material consequences of the conflict are slowly being taken care of, this does not lead to an overall reduction in tension in the region. The return of Ingush refugees to their homes (which in most cases were destroyed) is not accompanied by genuine progress in the area of conflict management.

Besides, the Suburban district of North Ossetia and the dispute over it are currently overshadowed by the war in Chechnya. Despite the difficult situation in the area, no international organizations are currently working there on a day-to-day basis. A number of international humanitarian organizations are present in Ossetia and Ingushetia, but they focus their activities on other tasks, mainly on the situation in Chechnya and refugees from that region (though some of them are carrying out short term programs in the Suburban district on an irregular basis). Nongovernmental organizations in Ingushetia are also primarily focused on the problems that are related to the war in Chechnya. The same is true of North Ossetia; there are a number of experts monitoring the situation, but until recently there have been no long-term NGO programs aimed at improving the situation in the Suburban district.

Nevertheless, some short-term projects on this issue have been carried out quite successfully. In January 2001 the NGO "Caucasus Refugee Council" implemented a highly successful project to start

a dialogue between Ossetian and Ingush young journalists. A similar project was implemented to establish contacts between scientists of the two republics. The experience of these projects turned out to be very valuable for the development of the complex peace-building program in the region.

The work of the complex program in this region has involved the mobilization of local non-governmental organizations in five specific areas: working with local media; working with children, teachers and social workers; building a dialogue between students in North Ossetia and Ingushetia; developing contacts between NGO's in both areas; and giving legal advice to the population of the Suburban district and refugees. It is hoped to build on these efforts to create broad coalitions in both communities who are committed to a co-operative approach to reducing tensions.

CHECHNYA AND DAGESTAN

This program focuses on the Hasavyurt, Novolak and Babayurt districts of Dagestan, and on a number of locations in the Chechen republic, along the administrative border with Dagestan.

The situation in these areas is very difficult, for several reasons. There is the underlying issue of the "territorial rehabilitation" of the Chechen population of Dagestan, whose houses and lands were used to resettle other ethnic groups during the deportation of 1944-56. On top of this are a series of disputes relating to the

migration of groups from the mountain areas of the republic into the plains, which has led to serious changes in the ethnic composition of the population and increased competition for limited land. And even in comparison to the rest of the Russian Federation, this region has seen a sharp drop in living standards over the last decade.

The continuing war in Chechnya has also had a damaging effect on the surrounding region. It has led to a significant number of refugees entering Dagestan, complicating the situation there. In addition, attacks by militants from Chechen territory against some of the villages in the Botlih and Novolak district have caused a deterioration in the relationship between the local Chechens and other peoples of Dagestan.

Nevertheless, the Hasavyurt region of Dagestan offers the precedent of an earlier experience in managing inter-ethnic tensions so as to avoid the risk of violent conflict. In the late summer of 1999, extremist groups from Chechnya launched attacks into a number of villages in Dagestan. The immediate result was a worsening of relations between Chechens already resident in Dagestan, and the other local ethnic groups.

Relations were already difficult. Chechens were deported in 1944 from the Auhov (now known as the Novolak) district of Dagestan. After they returned from exile they were not able to come back to their houses, since there were other people living there, mainly Laks (another ethnic group in Dagestan) who were “resettled” there from mountainous areas of the republic. The Chechens were given small plots of land in the neighboring Hasavyurt district, but they continued to press for the return of their original houses.

As a result in 1991 there was an unprecedented decision made in Dagestan to move the Lak people from the district to a new district, created north of the republican capital, Mahachkala and to allow the Chechens to return to their homes. However, partly because of lack of money and poor management, the program that was adopted in 1991 is still only in an early stage of implementation.

Against this background, the incursions of fighters from Chechnya led to a rapid growth of anti-Chechen feeling. The situation was further aggravated by the fact that many local militias had developed in Dagestan. These consisted of people who were officially allowed to carry weapons, but were only under the loose control of official authorities. Provocative leaflets began to circulate in the republic, and there were clashes between militia groups of local Chechens and people of other ethnic backgrounds.

In this explosive situation, an independent group of Dagestan Chechens known as “SOS-Salvation” was able to play a valuable

role in reducing the danger of conflict. It relayed information about the situation to federal authorities, who could pressure the regional leadership to avoid escalating tensions. It organized local meetings of elders or religious leaders, feeding into traditional methods of reconciliation, and promoted a public understanding that the Dagestan Chechens should not be held responsible for terrorist attacks launched from within Chechnya itself.

Following on from this start, the first efforts at peace-building in the region have included: organizing meetings of the elderly, holding joint prayers for peace and other traditional activities; holding joint sports events for the young, between neighboring villages along the administrative border between Chechnya and Dagestan, and wherever possible including federal servicemen as participants in these events; distributing information about the culture and history of the different peoples of the area, and organizing cultural events.



Children drawing on the asphalt during one of the peacebuilding projects in Cherkessk, the Karachai-Cherkess republic. Photo © Non-Violence International.

Building on this foundation, the priority of the “Hot Spots” program in this area is now to move to the new goal of using the possibility of cross-border cooperation to support stabilization efforts in Chechnya itself. A series of round tables was organized with representatives of different professional groups of the two republics. The ideas that were collected during these round tables have become the base for designing the second phase of the Complex Peace-Building Program in the area.

Though it is difficult to measure the precise influence of these projects on the situation in the regions concerned, the fact that in 2003 it is possible to set objectives that would have been considered unrealistic just a year ago, shows that progress is being made.

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