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Russia's Chechnya Conflict: Developments in 2002-2003

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Summary

After the terrorist attacks on the United States in September 2001, the United States and Russia adopted a cooperative stance against global terrorism that many observers viewed as including enhanced U.S. recognition that Russia's conflict in its breakaway Chechnya region (with a population estimated at less than one-half to one million) was, in part, a struggle against terrorism. This cooperation became strained in recent months — for reasons that included more U.S. criticism of intensified Russian fighting in Chechnya deemed to violate human rights — but appeared to be re-affirmed following Chechen terrorist attacks in Russia in late 2002.

Russia's then-Premier (and current President) Vladimir Putin ordered military, police, and security forces to enter the breakaway Chechnya region in September 1999, and these forces occupied most of the region by early 2000. Putin's rise to power and continuing popularity have been tied at least partly to his perceived ability to prosecute this conflict successfully. He has repeatedly declared that victory and peace are at hand, but such declarations have proven inaccurate time and again. Although Russia's forces nominally control large areas, its ground and air forces continue to carry out major operations, rebel violence causes dozens of Russian troop casualties per month, myriad human rights violations against Chechen civilians are regularly reported, reconstruction has barely begun, and most of the population now lives in makeshift housing.

While U.S. core national security interests in arms control, strategic missile defense, proliferation, counter-terrorism, and NATO enlargement have dominated U.S.-Russian relations, U.S. concerns over Chechnya have been a factor and are linked to U.S. core interests. These concerns were reflected in CIA Director George Tenet's warning in February 2000 that Chechnya threatened to become a world center of international terrorism, and since the events of 9/11, such concerns have boosted U.S.-Russian cooperation on counter-terrorism and other issues. The United States has been supportive of some claims by Russia that it is combating international terrorism in Chechnya. However, the United States has rejected Russia's claims that it has the right to preemptive attacks against putative Chechen terrorists based in neighboring Georgia, and has provided military assistance to Georgia to help it deal with terrorism and lawlessness along its borders with Russia. Of less than vital interest but still significant, the United States has concerns about Russia's disproportionate and indiscriminate use of force in Chechnya, its rejection of a political settlement of the conflict, and the humanitarian needs of displaced persons. These concerns also have an anti-terrorism dimension, with the Administration arguing that a defeated, embittered, and poor Chechnya could be an incubator of future Islamic extremism. Thus, U.S. policy has been critical of Russia's human rights abuses against innocent civilians in Chechnya and has called for peace talks, while at the same time, the Administration has called upon Chechens to cut all contacts with international terrorists. This report will be periodically updated. Related products include CRS Report RL30389, *Renewed Chechnya Conflict*; CRS Report RS21319, *Georgia's Pankisi Gorge*; and CRS Issue Brief IB92109, *Russia*, updated regularly.

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Russia's Chechnya Conflict: Developments in 2002-2003

Background and Recent Developments

Russia's then-Premier (and current President) Vladimir Putin ordered military, police, and security forces to enter the breakaway Chechnya region (with a population variously estimated at less than one-half to one million) in September 1999, and these forces had occupied most of the region by early 2000.¹ Putin had pointed to incursions by Chechen extremists — who said they aimed to establish regional Islamic rule — into Russia's Dagestan region in August-September 1999, and apartment bombings throughout Russia during the same time, as the triggers for Russia's counter-terrorism campaign in Chechnya. Putin's rise to power and continuing popularity have been tied at least partly to his perceived ability to prosecute this conflict successfully. He has repeatedly declared that victory and peace are at hand, but such declarations have proven inaccurate time and again. Although Russia's forces nominally control large areas, its ground and air forces continue to carry out major operations, rebel violence causes dozens of Russian troop casualties per month, myriad human rights violations against Chechen civilians are regularly reported, reconstruction has barely begun, and most of the population remains living in makeshift shelters. From a high of some 140,000 Russian troops in early 2000, there are reportedly about 80,000 remaining in Chechnya, about 30,000 of whom are military and the rest police and Federal Security Service (FSB) operatives.² Russia's military has estimated the total number of remaining rebel fighters at less than 2,000, including about 250 foreign mercenaries.

During the snow-free summer months, rebels intensify their attacks on Russian troops, who in turn step up their counter-insurgency efforts. In 2002, the cycle of heightened fighting appeared to yield major Russian successes in killing or apprehending rebel leaders. Alleged human rights abuses against civilians during Russian troop actions, however, triggered new international criticism of Russia and growing dissatisfaction with the campaign among many Russians, though the seizure by Chechen rebels of about 800 hostages in Moscow in October 2002 appeared to lessen such criticism and dissatisfaction, at least for awhile.

¹ The first Chechnya conflict occurred in 1994-1996. For background on the first and second conflicts, see CRS Report RL30389, *Renewed Chechnya Conflict*; and CRS Issue Brief IB92109, *Russia*, updated regularly.

² Figures cited by Russian Defense Minister Sergey Ivanov, *FBIS*, November 15, 2002, Doc. No. 246. Reporter Yuriy Bauzin, in a detailed article, estimated in late 2002 that there were 40,000 Russian military troops in Chechnya, 40,000 police and border troops, and about 20,000 rear services, civil defense, railroad troops, FSB, and other security personnel, for a total of 100,000. *Novaya gazeta*, November 18-24, 2002, pp. 2-3.

Putin has maintained that Russia is conducting counter-terrorist operations in Chechnya against not only Chechen terrorists but also a “terrorist Bandit Internationale,” with links to al Qaeda, which operates and funds training camps in the region. Russian officials also allege that, just as with al Qaeda, Chechen rebels have cells in Russia and two dozen countries that recruit fighters and send money and equipment to Chechnya.³ Since the terrorist attacks on the United States on September 11, 2001, Putin also has argued that the United States should welcome Russia’s actions against “our common foes” in Chechnya as a major contribution to the U.S.-led coalition’s global counter-terrorism efforts. In late October 2002, Putin claimed that the Moscow theater hostage crisis was intimately linked to other recent international terrorist actions, a stance endorsed by a U.N. Security Council Resolution on October 24 that also termed the hostage crisis “a threat to international peace and security.” After suicide bombers devastated the government complex in Chechnya’s capital of Grozny on December 27, 2002, the Russian Foreign Ministry asserted that the bombing was instigated by “global terrorists.”

Peace Efforts. The United States and other countries repeatedly have called on Russia to open peace talks with “moderate” Chechen rebels, but Russia has mostly rejected such calls. One official attempt to open talks occurred in late 2001, when Putin designated Viktor Kazantsev, the presidential envoy to the North Caucasus, as empowered to discuss disarmament with Chechen rebels, and former Chechen President Aslan Maskhadov appointed Akhmed Zakayev, the Chechen “deputy prime minister,” to meet with Kazantsev. The two emissaries, facilitated on the Chechen side by Turkey, met in mid-November 2001. The conditions laid down by Kazantsev for further talks included rebel disarmament, and by Zakayev included recognition of Maskhadov’s presidency, the ending of house-to-house searches, and the withdrawal of Russian forces. According to one report, Kazantsev stated that the rebels could be reintegrated into Chechen social and political life after they disarmed. Russia delayed further meetings, despite Zakayev’s willingness.⁴

Another possible attempt to open talks occurred in mid-October 2002, when the newly appointed Russian presidential human rights ombudsman to Chechnya, Abdul-Khakim Sultygov, met with several members of the Chechen rebel legislature to discuss holding peace talks (observers from the Council of Europe were also present). However, Kazantsev and other Russian officials denounced this meeting as unauthorized, perhaps indicating some dissension within the Putin administration on the issue of peace talks.

The reluctance of the Putin administration to pursue peace talks has spurred the emergence of several unofficial proposals for ending the conflict. Prominent proposals include one by former Russian legislative speaker and Chechen Ruslan Khasbulatov and former legislative speaker and Security Council secretary Ivan Rybkin, and one by former U.S. officials Zbigniew Brzezinski, Alexander Haig, and

³ Putin has stressed that Chechen terrorism, because of its international reach and aspirations, constitutes a “global terrorist network” that is among the most dangerous faced by the international community. *FBIS*, December 2, 2002, Doc. No. CEP-250.

⁴ Shamil Basayev, formerly Maskhadov’s deputy, has rejected any peace proposal that does not include independence for Chechnya. *BBC Worldwide Monitoring*, October 14, 2002.

Max Kampelman. Khasbulatov's plan would give Chechnya substantial autonomy within Russia, while the Brzezinski plan calls for more limited self-government and stresses a peaceful and democratic resolution of the conflict. At a conference in July 2002, the two proposals were basically merged.⁵ Most recently, Akhmadov unveiled a peace proposal in Washington, D.C. in March 2003 that calls for Russian forces to be replaced by U.N. peacekeepers in Chechnya, and for Chechnya to become fully independent upon its democratization.

Despite the calls for opening peace talks, the Putin administration in recent months has appeared more dedicated to a military solution to the Chechnya conflict, particularly after the Moscow theater siege. It has refused further contacts with Zakayev and tried to convince Denmark and Great Britain to extradite him to face criminal charges. Danish courts in early December 2002 rejected Russia's request for Zakayev's extradition, finding Russia's evidence of his crimes unconvincing. Zakayev is currently in Great Britain, where the courts at the end of January 2003 began hearings on an extradition request from Russia.

International Aid and Presence. Russia initially opposed international aid efforts in Chechnya on the grounds that the conflict was a domestic affair, but the scope of urgent humanitarian needs and international pressure eventually convinced Russia to admit international aid groups. The dangers of continued fighting and lawlessness, however, bedevil assistance work. Prominent aid providers include various U.N. agencies, the Organization for Security and Cooperation in Europe (OSCE), International Committee of the Red Cross, and Doctors without Borders (DWB). After almost two years of bureaucratic delays, Russian authorities finally permitted a six-member OSCE Assistance Group (AG) to return to Chechnya in June 2001.⁶ Russia wrangled over the mission of the AG, demanding that it be limited to aid and not include peace mediation or the investigation of abuses, and finally refused to renew its mandate in December 2002, forcing it to leave Chechnya. DWB suspended its operations for awhile in early 2001 following the kidnaping of a staffer (who was later released) and again in July 2002 after another kidnaping. The U.N. that same month halted its sizeable humanitarian work in Chechnya following the kidnaping of a Russian working for UNICEF. DWB has resumed some work in Chechnya's neighboring Ingushetia region and the U.N. has resumed work in Chechnya. There has been some criticism from NGOs and governments that Russia has tended to somewhat rely on international aid to supplement or substitute for aid it provides to the victims of the conflict.⁷

The United States has been the largest single donor to aid victims of the recent Chechnya conflict, contributing at least \$73 million to U.N. agencies and non-governmental organizations (NGOs). The United States has a refugee coordinator

⁵ *Washington Post*, June 21, 2002, p. A25; The Jamestown Foundation. *Chechnya Weekly*, September 9, 2002.

⁶ Set up in Chechnya in 1995, the AG had relocated to Moscow in late 1998 because of heightened lawlessness in Chechnya.

⁷ Speeches by Ms. Swerver (Netherlands) and Mr. Hancock (United Kingdom), *Parliamentary Assembly of the Council of Europe*, Report of the 26th Sitting, September 24, 2002.

in Moscow who monitors the situation on site in Chechnya, coordinates aid with the international community and Russia, and identifies where more aid is needed.

Human Rights Conditions. Kidnaping, extortion, and common theft by Russian and rebel forces are widely reported by many observers. Extremely low pay and provisioning of military and police personnel encourage criminal acts. In effect, according to some critics, Russian forces “live off the land,” and even ship large amounts of ill-gotten goods back to their families on military and police vehicles, purportedly with the connivance of higher-ups.

A sensational report allegedly written by the pro-Moscow Chechen government in early 2003 detailed hundreds of murders, arbitrary detentions, and disappearances of Chechen civilians during 2002 and dozens more in the first three months of 2003. In many cases, the report listed the Russian units carrying out the abuses. Although Chechnya’s pro-Moscow chief administrator Akhmad Kadyrov denied the validity of the report, he appeared to give it indirect credence by suggesting on April 16, 2003, that masked troops involved in night-time abductions of Chechen civilians might have been Russians. The next day, his premier, Anatoliy Popov, was more definite, stating that 300 of 500 disappearances of Chechen civilians in 2002 had been linked to Russian troops.⁸

Many international and non-governmental organizations have continued to criticize Russia for human rights abuses in Chechnya, although some note progress by Russia in addressing some abuses (for the U.S. response, see below). These organizations also continue to criticize Chechen rebel abuses, particularly assassinations of pro-Moscow Chechen officials.

The Parliamentary Assembly of the Council of Europe (PACE) was at the forefront of early efforts to condemn human rights abuses committed by Russian forces. In 2000, it suspended the voting rights of the Russian delegation and conditioned reinstatement on Russia’s investigation of crimes, amelioration of human rights conditions, and opening of peace talks with a “cross-section of the Chechen people.” Voting rights were restored in January 2001, however, with the explanation that PACE wanted to work with Russia to improve the human rights situation in Chechnya. A PACE-Russian State Duma Joint Working Group for Chechnya was formed, headed by Frank Judd (Lord Judd) and Russian Dmitriy Rogozin. In its April 2002 report, the non-Russian members of the working group concluded that the “human rights situation in Chechnya has still not adequately improved,” because of Russian laxity in investigating continuing serious human rights abuses. The working group traveled to Chechnya and Moscow again in July and September 2002. Lord Judd reported to PACE in September that human rights abuses were still being committed by both sides in the conflict, and that Chechen civilians faced urgent humanitarian needs, but he argued that without a negotiated and “sustainable” peace settlement, aid efforts could only be palliative.⁹ He presented another report to PACE in late January 2003 that the proposed March 2003 referendum was ill-timed

⁸ *Le Monde*, April 11, 2003; *FBIS*, April 16, 2003, Doc. No. CEP-86; Sarah Karush, *AP*, April 17, 2003.

⁹ PACE, Report of the 26th Sitting, September 24, 2002.

and could not be free and fair. PACE failed to pass a resolution calling for Russia to postpone the referendum, but made a preliminary decision not to send observers. Frustrated, Lord Judd tendered his resignation as co-head.¹⁰

At its early April 2003 session, PACE approved by a wide margin a resolution deploring the continuing failure of Russia to protect Chechnya's population from "gross human rights abuses." The resolution calls for Chechen rebels to "stop terrorist activities" and for Russian forces to be better controlled and perhaps withdrawn from Chechnya. It calls for member-states to register complaints against Russia with the European Court for Human Rights and warns that if the "climate of impunity" for abuses does not change, an *ad hoc* war crimes tribunal modeled after that set up for the former Yugoslavia should be considered. The strong resolution reportedly angered Russian delegate Vladimir Zhirinovskiy, who threatened that PACE delegates supporting the resolution would find themselves "in the dock" in such a tribunal. Rogozin reportedly angrily announced that Russia would no longer discuss Chechnya with COE and might not pay its dues.¹¹

Twenty-two EU members and candidate countries co-sponsored a resolution submitted to the U.N. Human Rights Commission on April 8, 2003, accusing Russia of grave human rights violations in Chechnya. The resolution "expressed deep concern" about ongoing disappearances, extrajudicial and summary executions, torture, ill-treatment, arbitrary detentions, abuses and harassment at checkpoints and during sweep operations, and other violations of international humanitarian law perpetrated by Russian forces. It called on Russia to investigate and provide information on abuses and to "implement the rule of law in Chechnya," and to allow free access to international and non-government organizations and the media.¹² On April 16, 2003, the Commission voted against the resolution 21-15, with 17 abstentions (see also below, *Recent U.S. Policy Statements*).

Casualties. The headquarters of Russia's Unified Group of Forces in Chechnya reported at the end of 2002 that since 1999, there have been about 4,500 Russian troops killed and about 12,600 wounded, and that over 14,000 Chechen rebels have been killed. Russian human rights groups such as Memorial and Soldiers' Mothers, however, have estimated higher numbers of troop deaths. Estimates of civilian casualties are highly unreliable given the inaccessibility of many areas of Chechnya and the dispersal of the population. Civilian casualties are now seldom the result of large-scale Russian military operations as in the early months of the conflict, but continue on a smaller scale. Memorial has placed civilian deaths at between 10-20,000 (300-550 per month), and Chechen rebel sources at more than 80,000. Russian officials deny these numbers of civilian deaths and attribute many deaths to Chechen intra-ethnic "blood feuds," rather than to actions by Russian

¹⁰ Lord Judd, *The House Magazine*, February 24, 2003.

¹¹ Council of Europe. PACE. *The Human Rights Situation in the Chechnya Republic*, Resolution No. 1323, April 2, 2003; *Chechnya Weekly*, April 10, 2003.

¹² United Nations. Economic and Social Council. Commission on Human Rights. *Situation of Human Rights in the Republic of Chechnya of the Russian Federation*, E/CN.4/2003/L.13, April 9, 2003.

troops.¹³ They also assert that Chechen rebels urge civilians to concoct stories of Russian troop abuses.

Russian military and police sources report that their casualties have lessened in recent months as major fighting has wound down. Instead of directly engaging the enemy (except in southern Chechnya, where such fighting still occurs), Russian forces have adopted tactics such as checkpoints, house-to-house searches or “sweeps,” night raids, and setting up bunkers throughout the region (to which troops retreat at nightfall). Rebels largely engage in hit-and-run tactics. The most lethal rebel attack took place in August 2002, when rebels shot down a Russian Mi-26 helicopter, killing 119 soldiers and other passengers, just outside Grozny. Another lethal attack by suicide bombers in Grozny in December 2002 killed 80 troops and civilians.¹⁴

Displaced Persons. According to the U.N., about 660,000 civilians were in Chechnya in late September 2002, of which about 140,000 were displaced from their homes. Another 110,000 displaced Chechens are in the neighboring Ingushetia region, and 30,000 are elsewhere in Russia. The Russian government, according to the U.N., “spares no efforts” to convince displaced Chechens to return home.¹⁵ The Russian government failed to get all the displaced in Ingushetia to return to Chechnya by the end of 2002, but the U.N. High Commissioner for Refugees (UNHCR) estimated that 30-40,000 displaced persons returned to Chechnya in 2002 (several hundred people also fled Chechnya), though Russian officials claimed that 50-90,000 had returned. UNHCR protested Russia’s closure of a camp in Ingushetia in early December 2002 which may have forced about 800 inhabitants to return to Chechnya. Alerted by UNHCR, the United States and other countries and organizations raised concerns about Russia’s forced return of displaced Chechens during the harsh winter of 2002-2003 to face uncertain housing conditions in Chechnya. Human Rights Watch has reported that Russian authorities in recent months have arbitrarily removed displaced Chechens in Ingushetia from eligibility lists for subsidized housing and food, in order to coerce their return to Chechnya. In March 2003, Ingush authorities reversed an earlier approval and ordered DWB to halt its \$1 million construction of shelters for displaced Chechens and to immediately demolish 180

¹³ Citing the results of an October 12-13, 2002, census, Chechnya’s pro-Moscow Premier claimed that casualties during the 1994-1996 and 1999-2002 conflicts amounted to about 10,000 people, including both civilians and rebels, a number contradicting even official estimates.

¹⁴ The October 23-26, 2002, Moscow theater hostage crisis resulted in the deaths of 120 civilians and about 40 terrorists, according to officials. Only a handful of civilians were shot by the terrorists, with the rest killed by the drug fentanyl, used by Russian forces in a gaseous form to sedate the terrorists.

¹⁵ United Nations. Office for the Coordination of Humanitarian Affairs. *Consolidated Inter-Agency Appeal 2003: Chechnya and Neighboring Republics*, November, 2002. The October 2002 census ostensibly showed a population of almost 1.1 million, about the same as the previous census of 1989 (adjusting for the different boundaries of the region). Chechnya’s electoral officials in January 2003 cited a figure of about 537,000 voters in Chechnya.

shelters previously built. Russian police in Ingushetia also have stepped up abuses against displaced Chechens.¹⁶

Sweeps and Raids. Russian officials have argued that Russian troops must carry out sweeps — where troops cordon off villages or areas and search house-by-house for suspected rebels — because armed Chechen rebels violate international human rights accords by hiding among civilians, and that Russian troops do not commit human rights abuses during sweeps. Intense international criticism that Russian actions during sweeps often result in indiscriminate violence against civilians, however, led Russian Prosecutor General Vladimir Ustinov in July 2001 to issue “Order No. 46,” which called for a civilian and procuracy presence during sweeps and record-keeping on those detained. This decree reportedly was seldom carried out. In late March 2002, the then-commander of the Unified Federal Forces in the North Caucasus, Col. Gen. Vladimir Moltensky, in addition ordered federal troops to receive preapproval from local administrators before conducting sweeps, to introduce themselves before searching a home, and to take off their masks. The Russian government-owned newspaper *Rossiyskaya gazeta* has criticized this “order 80” and other civil law as restraining the Russian military’s freedom of action and safety in Chechnya.¹⁷

In July 2001, Putin defended sweeps as necessary to combat terrorists. However, by June 2002 he appeared frustrated by allegations of human rights abuses during sweeps, and stated that sweeps by Russian troops would be replaced by the end of the year with checks carried out by Chechen self-defense units. Moltensky, however, asserted that military sweeps would continue, and other officers argued that the Chechen units were not fully ready for duty. According to some critics, the pledge to end sweeps was disingenuous, designed only to allay Western criticism, since the sweeps have not ended.¹⁸

Human Rights Watch in early April 2003 reported that over the previous year, abuses by Russia’s forces in Chechnya during sweeps dropped off, while abuses committed by “night raiders” increased. These raiders — who generally wear masks, speak unaccented Russian, and ride in military vehicles — invade homes and take away Chechens who generally are never seen again or are found dead, often blown up. Other “disappearances” resulted from detentions at checkpoints. These raiders have appeared to target young Chechen males who have returned to Chechnya. Besides rising rates of disappearances and extrajudicial killings, Human Rights Watch also stated that rates of torture, and arbitrary detention were increasing. Responding to the report, which had been submitted to a U.N. Human Rights Commission meeting underway, Sultygov on April 15 dismissed it as the fictitious

¹⁶ Human Rights Watch. *Briefing Paper to the 59th Session of the UN Commission on Human Rights on the Human Rights Situation in Chechnya*, April 7, 2003; Doctors Without Borders, *Press Release*, March 26, 2003.

¹⁷ *Rossiyskaya gazeta*, May 21, 2002.

¹⁸ Anna Politkovskaya, *Novaya gazeta*, March 24, 2003.

product of an “extremist” group, and stated that a commission would be set up after Chechnya’s presidential race to investigate Russian and Chechen rebel abuses.¹⁹

Atrocities. Western and Russian media have reported discoveries of several mass graves in recent months.²⁰ Most of the discoveries have been linked to missing Chechens, who local witnesses said had been detained by Russian troops. According to an official of the pro-Moscow Chechen government, there were 1,660 unresolved cases of Chechens and Russians who were missing in early 2003, with other sources estimating that the bulk of the missing were Chechen civilians, many of whom “disappeared” while in custody of Russian forces.²¹ Besides the discovery of gravesites linked to missing Chechens, the Russian FSB in August 2002 publicized what it termed a Chechen terrorist “concentration camp” for kidnap victims who were held for ransom and for slave labor, and an associated mass gravesite. According to the Russian government, about 900 such kidnap victims in Chechnya remain unaccounted for.

The Council of Europe (COE) and other organizations have been critical of Russia’s investigation and prosecution of its troops who commit crimes in Chechnya. COE has criticized the inadequacy of investigations of abuses against civilians, the lack of access by human rights organizations to all of Chechnya, and the continuation of human rights abuses even when prosecutors accompany troops. COE Commissioner for Human Rights Alvaro Gil-Robles in May 2002 derided the Russian Prosecutor General’s office for admitting that human rights abuses had occurred in Chechnya but appearing unable to carry out its constitutional duties, particularly in asserting its powers over the military. In March 2003, PACE Legal Affairs Committee member Rudolf Bindig criticized Russian official data that showed that of 385 investigations of possible crimes by Russian soldiers against Chechen civilians, only 19 were placed on court dockets. Because there still were “not any results” in these cases, he averred, the creation of an international tribunal might be considered.

The most sensational case has been that of Col. Yuriy Budanov, the only Russian officer to be tried for murdering Chechen civilians. Some in the military backed his prosecution but many others battled against Budanov’s conviction in military court proceedings lasting nearly three years. The Moscow Serbsky Institute — an psychiatric institution widely accused of torturing dissidents at the behest of the rulers of the former Soviet Union — reported in December 2002 that the accused had been temporarily insane when he strangled a Chechen female in March 2000, and the court ruled that he was not guilty. The Russian Supreme Court overturned this verdict on February 28, 2003, ruling that the verdict had overlooked Budanov’s

¹⁹ Human Rights Watch. *Briefing Paper*, April 7, 2003; Yuri Bagrov, *AP*, April 15, 2003.

²⁰ A report supposedly written by the pro-Moscow Chechen government in early 2003 discussed the discovery of nearly 3,000 mass graves in the region. *Le Monde*, April 11, 2003.

²¹ *The Chechen Times*, February 26, 2003.

efficient command prior to the strangling and the lack of evidence that the female was a terrorist. A new trial began in April 2003.²²

Institution Building. The Russian government has estimated that rebuilding Chechnya will take more than \$3 billion. Its pledged funding has fallen short, however, and some allocations have reportedly fallen victim to graft and corruption, as they did during the interwar period of 1997-1999. The Russian budget authorized about \$155 million for services and rebuilding Chechnya in 2001, \$144.5 million in 2002, and \$112.4 million in 2003. The Russian government reports some progress in constructing schools, hospitals, bakeries, and water, sewage, electrical, and communications systems destroyed by conflict. UNESCO and UNICEF have reported, however, that Russia has exaggerated the number of operating schools, and that teaching remains “severely hampered” by lack of adequate facilities, heat, and supplies.²³ Russian officials have called for more international aid to help rebuild the region.

The Constitutional Referendum. According to some reports, the Russian Security Council decided in March 2002 to step up political institution-building in Chechnya as a means of winding down the conflict. Under this plan, a constitutional referendum was planned for late 2002, to be followed by legislative and presidential elections. A constitutional commission decided on a final draft constitution in August 2002. Despite statements by Putin that a constitutional referendum would be held in November 2002, Kadyrov and other pro-Moscow Chechens argued successfully that unrest in the region precluded a referendum until March 26, 2003. Besides a question on approving the constitution, voters were asked to approve draft laws on electing a president and a legislature. About 23,000 Russian troops considered “permanently based” in Chechnya were permitted to vote. Some Chechens protested against holding a referendum, but Kadyrov reportedly dismissed such protesters as enemies.²⁴ After calls by the Human Rights Commissioner of the COE, Russia set up polling places in Ingushetia for displaced Chechens, but PACE reportedly balked at sending observers after Russia refused to permit the observers free access to polling places. A handful of OSCE observers described voting irregularities in the polling places they visited, and some journalists reported few observable voters and many voting irregularities.²⁵ The Central Electoral Commission reported a very high 89.5% turnout and that 96% approved the new constitution. President Putin hailed the win as removing the last serious threat to Russia’s territorial integrity.

The new Chechen Constitution does not provide the region with a special status in the Russian Federation, totally repudiating its uncertain autonomy in 1996-1999.

²² *FBIS*, March 1, 2001, Doc. No. CEP-243; December 31, 2002, Doc. No. CEP-137.

²³ Dagestani analyst Nabi Abdullayev argues that, compared to any time since the early 1990s, at least a few schools in Chechnya are operating and some social and government services are being provided. The Violence That Is Justified, *Transitions Online*, October 3, 2002. The U.N. Office of Humanitarian Affairs has complained that facilities such as “sheds and tents” are unsuitable schools for children. *Consolidated Appeal 2003*, p. 52.

²⁴ *Chechnya Weekly*, April 3, 2003.

²⁵ *Chechnya Weekly*, March 27, 2003; *Chicago Tribune*, March 25, 2003.

In some respects, the Chechen Constitution appears to spell out fewer powers than those provided in other regional constitutions. Russian language is designated the exclusive language of official discourse. The Constitution prohibits advocacy of separatism and establishes strong federal control over the region, specifying the primacy of federal law, ensured in part by the center's appointment and direct control over the regional Prosecutor. The federal government can remove the regional president and the federal legislature can dissolve the regional legislature. The Constitution creates a presidential system of administration in the region, with the president able to appoint many officials with no advise or consent by the regional legislature and to issue decrees with the force of law.²⁶

Political institution-building in Chechnya has been hamstrung by interdepartmental rivalries at the federal and local levels and inadequate coordination by the center with local administrators, leading to wasted resources and a ripe environment for corruption. Reportedly, two dozen central ministries and agencies carry out operations in Chechnya. Ostensibly, these operations are coordinated by Russian deputy prime minister Viktor Khristenko, who heads the commission for the rebuilding of Chechnya, and Stanislav Ilyasov, Minister of the Russian Federation for the Affairs of Chechnya. Further complicating power relations, President Putin has appointed a human rights ombudsman and a Southern Federal District envoy who deals mainly with economic matters. At the local level, the pro-Moscow Chechen leaders feud over their vaguely-defined powers. Until recently, they had only marginal control over federal spending and local appointments. Kadyrov gained some appointment powers in mid-2002 and expects more access to federal funds during 2003.

The civilian agencies and leaders vie with the military, police, and security agencies for control and influence in Chechnya, stymying rebuilding efforts. The FSB has led operational planning for the Chechnya campaign. As recently as May 2002, Putin had intervened in a contretemps between the FSB and the Interior Ministry regarding the eventual transfer of operational leadership in Chechnya to the Interior Ministry, stating that it would be "premature" for the FSB to relinquish leadership at that time, but perhaps later. To enhance law and order in Chechnya, General Staff Chief Anatoliy Kvashnin visited Chechnya in late September 2002 and convinced President Putin to decree the establishment of a system of 100 military commandants under the authority of the commandant of Chechnya, Lt. Gen. Sergey Kizyun. These commandants would coordinate military, police, FSB, and civilian affairs within their jurisdictions. Major functions of the commandants include assisting the pro-Moscow Chechen police to establish order and investigating civilian complaints of human rights abuses by military and police troops. Putin apparently changed his mind in November 2002, decreeing the formation of a Chechen Interior Ministry that he stated would eventually permit Russian military forces to "stay in their barracks" in Chechnya. The head of Russia's Interior Ministry duly asserted in December 2002 that he was taking control of the commandants' offices, and Defense Minister Sergey Ivanov likewise announced that some military functions within

²⁶ European Commission for Democracy Through Law (Venice Commission). *Opinion on the Draft Constitution of the Chechen Republic Adopted by the Venice Commission at its 54th Plenary Meeting (Venice, 14-15 March 2003)*, Opinion no. 231/2003.

Chechnya would be transferred to the Russian Interior Ministry and its regional affiliate.²⁷

Russia has trained over 12,000 pro-Moscow Chechens as local police, hoping that these forces can substitute for exiting Russian forces. Some Russian officials have considered these Chechen police unreliable, causing deadlines for more withdrawals of Russian forces to be moved back. Tensions between Russian troops and the Chechen police have been reported, illustrated by a gun battle in Grozny in September 2002 between the two groups. A bomb reportedly planted by rebels with assistance of sympathizers within the Chechen police force killed over two dozen police officials in Grozny in October 2002. Federal authorities subsequently decided to redouble screening of the Chechen police for rebel sympathizers and to recruit a sizable fraction of Chechen police from outside the region. Further doubts were expressed about the loyalty of some Chechen police following the December 2002 bombing of the government complex in Grozny.

Implications for Russia and Chechnya

Strict government control over media reporting was a major innovation during the second Chechnya conflict and helped to shelter the Russian public from news of troop casualties and human rights abuses. Critics argue that this secrecy vitiates the democratic accountability of Russia's leaders.²⁸ Reporters are generally banned from the region, except when accredited and accompanied by a military escort. The main source of news from Chechnya comes from the Russian military. Authorities have threatened to prosecute private media that report unfavorable news on charges of revealing sensitive security information. Allegations of abuses cannot be verified, since the military often seals areas from reporters and even pro-Moscow Chechen officials who attempt to investigate. Despite these efforts to keep the conflict from public view, however, recent events have drawn heavy media attention, such as the Russian military helicopter shootdown in August 2002, the hostage crisis in Moscow in October 2002, and the bombing at the government complex in Grozny in December 2002.

The Moscow hostage crisis in October 2002 shocked many Russians who had been told by the media that fighting in Chechnya was almost over, but otherwise it appeared at least temporarily to revive public sentiments in favor of continuing to bear the cost of forcibly reasserting order and sovereignty in the region.²⁹ Putin's

²⁷ *FBIS*, November 10, 2002, Doc. No. CEP-48; December 19, 2002, Doc. No. CEP-6; December 22, 2002, Doc. No. CEP-24.

²⁸ The *Washington Post* has reported that Putin's greater media control and the acquiescence of many Western states to human rights abuses in Chechnya "has allowed the Russian president to contemplate even greater steps of repression." June 10, 2002, p. A20. One perhaps encouraging sign occurred in late November 2002, when Putin, following lobbying by many media and human rights groups, vetoed legislation further restricting press reporting from Chechnya.

²⁹ Some who term the Russian troop losses in Chechnya as light or sustainable argue that the number of deaths in the Russian armed forces from hazing, suicide, and other causes (continued...)

popularity has been high during the conflict and appeared boosted by his resoluteness during the hostage crisis. Before the hostage crisis, however, opinion polls indicated that Russians increasingly viewed the Chechnya conflict as one of the least favorable aspects of Putin's presidency. Polls in autumn 2002 found that about 64% of Russians considered that the Chechnya conflict was not winding down, and that 57% of Russians thought it was time to start peace talks, compared to only 22% who favored talks in early 2000. Rising discontent over the conflict was indicated by 37% who believed the conflict could last more than 10-15 years, and 65% who regarded the efforts to eradicate the rebels as a substantial or complete failure.³⁰ Even after the hostage crisis, one poll showed that 50% of Russians still advocated the peaceful resolution of the Chechen conflict through talks with moderate Chechens. Polls in March 2003 showed that 55% of Russian respondents were dubious that a planned constitutional referendum in Chechnya in late March would contribute to peace, and that many continued to view the conflict as a negative feature of Putin's presidency.³¹ Russians who advocate peace talks are concerned about the mounting loss of life on both sides and some even have donated humanitarian aid to the region.

Russia has conceded that it will need to retain large numbers of troops in Chechnya indefinitely. Rebel fighting has continued, even after the March 2003 referendum that supposedly marked a watershed in Russian pacification efforts. The Putin administration has maintained that the conflict is not a major drain on the Russian economy, though costs have not been revealed.³² Several prominent Russians recently have added their voices to those emphasizing the harm the continuing conflict inflicts on Russia, but such voices have not yet altered Putin administration policy. Ethnographer Emil Payin has warned that the Chechnya conflict is a "slippery slope," contributing to a Russia-wide disrespect for human rights that could lead to a "police state." Human rights activist Tatyana Lokshina similarly has asserted that official tolerance of racist attitudes among police serving in Chechnya affects the rest of Russia when these police return home and persecute

²⁹ (...continued)

amounts to between 1,000-3,000 each year, about the same number as perish in fighting in Chechnya. *Los Angeles Times*, October 13, 2002, p. A3.

³⁰ *FBIS*, October 8, 2002, Doc. No. CEP-151; August 20, 2002, Doc. No. CEP-165. The August poll seemed to indicate that Russians were strongly opposed to holding talks with armed Chechen rebel leaders they regard as terrorists.

³¹ *FBIS*, March 18, 2003, Doc. No. 382; *FBIS*, March 13, 2003, Doc. No. 313. An interesting poll in Chechnya in March 2003 showed that only about one-quarter of respondents advocated that Moscow open peace talks with Maskhadov, and that about one-half thought that the conflict would continue another 5-10 years. *FBIS*, February 19, 2003, Doc. No. 217.

³² Russian reporter Yuriy Baulin has suggested that the costs of the Chechnya conflict are about \$8.31 billion per year. This would amount to about 11% of the Russian Federal Budget for 2003 at current rates of exchange. See *Novaya gazeta*, November 18-24, 2002, pp. 2-3. A lower estimate has been provided by Sergey Stepashin, chairman of the legislative Audit Chamber, who asserted in early 2001 that the costs of the conflict approached \$1 billion per year, which he termed a budget drain. *FBIS*, February 12, 2001, Doc. No. CEP-190; February 12, 2001, Doc. No. CEP-306; and February 13, 2001, Doc. No. CEP-296.

local minorities. These and other activists decry the deepening de-humanizing racism of the two sides of the conflict and warn that Russia's abuses in Chechnya may increase the receptivity of other Muslims in Russia to Islamic radicalism.³³

Former Prime Minister Yevgeniy Primakov, who has called for opening peace talks with rebel leaders that would grant substantial autonomy to Chechnya, has warned that the overweening influence of the Russian military in Chechnya was endangering civilian control over the military. This influence has been underlined by several instances of military commanders involved in the Chechnya conflict disobeying Putin or other civilian authority. Primakov's warning appeared to gain further credence in December 2002, when the commander of the North Caucasus Military District, Gennadiy Troshev, refused his re-assignment to another post, demanding that he stay in place to conclude the Chechnya conflict and see the referendum through. He was subsequently relieved as commander by Putin.³⁴

Those Russians who advocate the opening of peace talks with "moderate" Chechen rebels have pointed out that such Chechens — acculturated through service in the former Soviet military and other institutions — are being replaced through generational change and attrition by younger and more virulently anti-Russian rebels. These younger rebels, they warn, might be less likely to negotiate with Russians. Advocates of peace talks also have criticized Maskhadov's alleged designation in July 2002 of Islamic extremist Shamil Basayev as his deputy commander-in-chief. Reportedly, Maskhadov subsequently appointed the Jordanian terrorist Abu al Walid as another deputy commander-in-chief in charge of finances, and Islamic extremist Movladi Udugov to a public relations post. Maskhadov asserted in an interview published on October 24, 2002, that the rebels were united under his command and that he accepted armed help from any quarter, whether from so-called Islamic moderates or extremists. Some assistance was still being provided by about 200 foreign fighters, he stated, but only a few were Arabs and none were members of al Qaeda.³⁵

The question of Maskhadov's links with Islamic extremism and international terrorism became acute just before the publication of his interview when Chechen terrorists seized the Moscow theater on October 23, 2002. After Russian forces seized the theater, Maskhadov deplored the hostage-taking and argued that the perpetrators were rogue operators who were not under his control. Basayev on November 1 tried to insulate Maskhadov from the worldwide condemnation of the attack by taking responsibility for ordering the attack, by claiming that Maskhadov

³³ *FBIS*, September 10, 2002, Doc. No. CEP-61; *Novoe Vremya*, No. 29, July 2002, pp. 10-12; Hearing on Discrimination in Contemporary Russia, Commission for Security and Cooperation in Europe, October 15, 2002; *Eurasia Insight*, January 7, 2003.

³⁴ Troshev had been criticized by the government for failing to eliminate the Chechen rebels in line with Putin's timetable. Troshev's request to stay in Chechnya revealed his ambition to become its future elected president, according to some observers.

³⁵ *FBIS*, October 24, 2002, Doc. No. CEP-256.

knew nothing in advance, and by resigning as deputy commander.³⁶ Both Maskhadov and his emissary Zakayev, however, argued that the crisis reflected the understandable despair of Chechens over Russia's "state terrorism." The same rationale was provided after the December 2002 bombing of the pro-Russian Chechen government complex in Grozny. Russian officials assert that Maskhadov is intimately linked to these terrorist attacks.

Implications for the United States

While U.S. core national security interests in arms control, strategic missile defense, proliferation, counter-terrorism, and NATO enlargement have dominated U.S.-Russian relations, U.S. concerns over Chechnya have been a factor in relations and are linked to U.S. core interests. These concerns were reflected in CIA Director George Tenet's warning in February 2000 that Chechnya threatened to become a world center of international terrorism, and since the events of 9/11, such concerns have boosted U.S.-Russian cooperation on counter-terrorism and other issues. The United States has been supportive of some claims by Russia that it is combating international terrorism in Chechnya. However, the United States has rejected Russia's claims that it has the right to preemptive attacks against putative Chechen terrorists based in neighboring Georgia.

Of less than vital interest but still significant, the United States has concerns about Russia's disproportionate and indiscriminate use of force in Chechnya, its rejection of a political settlement of the conflict, and the humanitarian needs of displaced persons. These concerns also have an anti-terrorism dimension, with the Administration arguing that a defeated, embittered, and poor Chechnya could again become an incubator of international terrorism. Thus, the United States has raised the issue of Russia's human rights abuses against innocent civilians in Chechnya in bilateral and multilateral forums.³⁷

According to many observers in Russia and the West, the United States toned down its criticism of Russian human rights abuses in Chechnya after 9/11 as part of enhanced U.S.-Russian counter-terrorism cooperation. Secretary Powell, however, has countered that the United States raises the issue of human rights abuses in Chechnya "at every opportunity" with the Russians.³⁸ Some critics of U.S. policy have argued that it may have seemed that the United States was toning down its criticism of Russia's actions in Chechnya after 9/11, because in general such criticism has never been permitted to affect more central U.S.-Russian security interests. Also, the U.S.-led coalition's elimination of Taliban and al Qaeda support

³⁶ *FBIS*, November 1, 2002, Doc. No. CEP-43.

³⁷ To help address the lack of much information in Russian media about abuses in Chechnya, Radio Free Europe/Radio Liberty began broadcasts — some in the Chechen language — to the North Caucasus in early 2002, after some initial Administration concerns that the broadcasts might harm U.S.-Russian relations.

³⁸ Hearing on the FY2003 Foreign Affairs Budget. Senate Foreign Relations Committee, February 5, 2002. Also, Russia's First Deputy Foreign Minister Vyacheslav Trubnikov and Deputy Secretary Richard Armitage reportedly have discussed Chechnya at every meeting of the U.S.-Russia Working Group on Counterterrorism.

for Chechen terrorists has been of far greater consequence to U.S.-Russia ties than U.S. criticism, arguably contributing to the recent successes of Russian forces in Chechnya.

There are recent signs that significant U.S. policy shifts are underway regarding the Chechnya conflict. The shifts appear more striking following the March-April 2003 Iraq conflict (see below).

Putin has used language similar to that used by the United States in its worldwide anti-terrorism campaign to justify Russia's actions in Chechnya. He has argued that he is combating internationally supported and funded terrorism in Chechnya and that Russia will not negotiate with or reward terrorists. He also has asserted that Russia has the right under international law and the U.N. Security Council's anti-terrorism resolution to preemptively attack Chechen terrorists he alleges are harbored by Georgia. The Bush Administration has opposed a Russian incursion into Georgia without Georgia's permission, and has provided military training and equipment to Georgia to help it eliminate terrorist cells within its territory.³⁹

The Administration and others likewise reject the identification of all Chechen rebels as terrorists and call for peace talks with moderate Chechen rebels. They argue that even if international terrorists were eliminated in Chechnya, Russia would still face separatist problems in the region. In practice, however, the problem faced by U.S. policy in distinguishing between Chechen rebels and terrorists was illustrated by Assistant Secretary of State Elizabeth Jones two weeks after 9/11. She explained that the Administration was now more clearly "differentiating between the supply of financing and weapons to mujahidin inside Chechnya and the legitimate concerns of the Chechen people," and urged Russia to make the same distinctions.⁴⁰ Some critics have countered that in reality both rebels and terrorists represent armed threats and that some Chechen rebel leaders have welcomed help from international terrorists. Another dilemma concerns a U.S. position on the disposition of terrorists in Chechnya. If negotiations with terrorists are frowned upon, should the terrorists simply be eliminated? What role should positive inducements play? If they surrender or lay down their arms as part of a peace settlement should they be pardoned, or should they face civil or extra-judicial prosecution?

Two weeks after 9/11, the State Department hailed a speech by President Putin that distinguished between terrorists and rebels in Chechnya as opening the possibility of Russian talks with moderate Chechens. By April 2002, however, Putin had seemed to backtrack, arguing that separatism and terrorism in Chechnya were inseparably linked. The United States nonetheless continued to urge Russia to draw a line between Chechen separatists and terrorist elements, and establish a political

³⁹ For details on Georgia, see CRS Report RS21319, *Georgia's Pankisi Gorge*; and CRS Issue Brief IB95024, *Armenia, Azerbaijan, and Georgia*, updated regularly.

⁴⁰ Hearing on U.S. Policy toward the OSCE. Commission for Security and Cooperation in Europe, October 3, 2001, pp. 6-7. For other post-9/11 Administration statements, see U.S. State Department. News Conference, October 17, 2001; and U.S. State Department. Regular Briefing, January 10, 2002.

dialogue with the former group while taking “other measures” against the latter. Illustrating apparent U.S. support for Russia’s stance of not negotiating with terrorists, Deputy Assistant Secretary of State Steven Pifer stressed in May 2002 that the United States was not calling for Russia “to try to reach accord with terrorists,” but rather to negotiate with “moderate Chechens” such as Maskhadov. He called on “moderate Chechens to disassociate themselves [from] terrorists,” but he also discounted the extensiveness of such associations by arguing that “we have not seen evidence of extensive ties between Chechens and al Qaeda in Chechnya, but we have seen evidence of individuals or certain factions linked to terrorist elements.”⁴¹

At the June 2001 Bush-Putin get-acquainted meeting and the November 2001 and May 2002 U.S.-Russia presidential summits, Bush raised U.S. concerns about Russian human rights abuses in Chechnya. At the June 2001 meeting, Putin strongly defended Russian policy, asking Bush how he would deal with a hypothetical invasion of Texas. He rejected Bush’s call for opening talks, arguing that “what are we supposed to do here, talk to [the Chechen rebels] about biblical values ... Anybody wearing a cross is an enemy to them.”⁴² During the May 2002 summit, Bush stressed that Russian forces should conduct operations like those of the U.S.-led forces in Afghanistan that safeguard civilians.⁴³

The Putin administration has criticized U.S. and Western admonishments as hypocritical, since the U.S.-led global “war on terrorism” appears to emphasize coercive and punitive measures to combat terrorism, while urging Russia to undertake negotiations with those it deems terrorists. These Russian officials view negotiations with Maskhadov and other so-called “moderate” Chechen separatists as implying that some of these figures could re-assume leadership posts in the region, which they think would lead to a replay of the doomed 1997-1999 peace settlement. Some in Russia term as hypocritical the advice that Russia, as in 1996, should give amnesty to Chechen “terrorists” who lay down their arms and should provide them with humanitarian and development assistance, viewing such aid as rewarding rather than punishing terrorists.

Some observers warn that a weak U.S. (and Western) response to Russia’s human rights abuses in Chechnya contributes to a weakening of international law and

⁴¹ Hearing on Developments in the Chechnya Conflict, Commission on Security and Cooperation in Europe, May 9, 2002; According to the State Department’s 1999 and subsequent *Patterns of Global Terrorism* reports, Chechen separatists received some support from international Islamic terrorists. As stated in the 2001 report, “one rebel faction, which consists of both Chechen and foreign — predominantly Arabic — *mujahidin* fighters, is connected to international Islamic terrorists and has used terrorist methods.”

⁴² *FBIS*, June 20, 2001, Doc. No. CEP-100.

⁴³ The White House, Remarks by the President to Community and Religious Leaders, May 24, 2002. Putin earlier had contended that Russia’s Chechnya campaign was more humane than the U.S.-led Afghan campaign, since Russia did not “use aircraft or heavy bombers on settlements.” *FBIS*, December 24, 2001, Doc. No. CEP-47. Appearing to contradict this Russian preference for humane tactics, Russian Defense Minister Ivanov in April 2003 asserted that U.S. forces in Iraq lacked the “courage” to shorten the operation through “carpet-bombing.” *FBIS*, April 7, 2003, Doc. No. CEP-344.

norms, including the Geneva Convention and the many OSCE commitments. They also argue that the weak Western response provides fuel to Islamic extremists who claim that U.S. and Western policy often supports governments that commit human rights abuses against Muslim populations. Some of these observers call for altering U.S. policy by boosting aid for democratization in Russia and by linking trade and economic ties to Russia's respect for human rights in Chechnya, even at the risk of harming bilateral relations. Other observers who view U.S. policy as basically sound urge greater U.S. efforts to publicize the record of U.S. support for human rights in Chechnya and elsewhere.⁴⁴

Recent Policy Statements. President Bush and some other Administration officials have recently appeared to place a greater policy emphasis on Russia's necessary response to terrorism in Chechnya. Deputy Defense Secretary Paul Wolfowitz in June 2002 argued that al Qaeda played an important role in triggering the current Chechnya conflict, by in effect taking over the Chechen independence movement and subverting it into Islamic extremism. Ostensibly referring to Russia's Chechnya conflict, President Bush in late June 2002 stressed the Administration's basic support for its counter-terrorism aspects by stating that "President Putin has been a stalwart in the fight against terror. He understands the threat of terror, because he has lived through terror." In September 2002, U.S. Ambassador to Russia Alexander Vershbow asserted that Maskhadov was "losing legitimacy" within the Administration as a possible peace negotiator.

U.S. policy appeared to emphasize the counter-terrorism aspects of the Chechnya conflict even more after Chechen rebels seized hostages in Moscow on October 23, 2002. President Bush immediately called Putin to say that the United States "would stand with" Russia during the crisis, and Vershbow pledged U.S. intelligence support for Russia "in the spirit of" 9/11. Vershbow stated that the hostage-taking elicited "outrage" rather than support for the "Chechen cause" among world public opinion, and hurt U.S. calls for a political resolution to the conflict.⁴⁵ In an interview on November 18, 2002, President Bush stated that the terrorists who seized the Moscow theater "were killers, just like the killers that came to America [on 9/11] any time anybody is willing to take innocent life for a so-called cause, they must be dealt with." He also stated that "its clear that there is an al Qaeda interest" in such terrorism in Russia.⁴⁶ In another interview that same day, Bush emphasized that the Chechnya conflict "is a war that I believe can lend itself both to

⁴⁴ Ib Faurby, in Tom Trier and Lars Hansen, eds., *Conflict and Forced Displacement in the Caucasus*, Copenhagen, Danish Refugee Council, 1999, pp. 72-81; Viatcheslav Avioutskii, *Central Asia and the Caucasus*, No. 5, 2002; *Islam and Democracy*, United States Institute of Peace, September 2002.

⁴⁵ U.S. State Department, *The Washington File*, June 1, 2002; *Federal News Service*, June 27, 2002; *AFP*, September 9, 2002; *Dow Jones Newswire*, October 24, 2002. The White House. Press Conference, October 29, 2002.

⁴⁶ The White House. *Interview of the President in European Print Roundtable*, November 18, 2002.

chasing those people [terrorists] down and, at the same time, solving issues in a peaceful way, with respect for the human rights of minorities within countries.”⁴⁷

In a talk summarizing U.S.-Russian relations during 2002, Ambassador Vershbow in January 2003 pointed out that the Administration’s view of the Chechen conflict had evolved because of “emerging facts” about how the separatist movement had been “effectively hijacked by international terrorist networks,” including al Qaeda. He stated that the United States supported Russia in combating Chechnya-related international terrorism, but remained frustrated in its efforts to convince Russia “to deal with the internal side ... through a political process,” and continued to be “deeply disturbed” by atrocities committed by Russian forces. At the same time, he acknowledged the difficulties Russia faces in finding moderate Chechen interlocutors, since even Maskhadov failed to quickly repudiate the Moscow theater hostage-taking, he argued.⁴⁸

The March 2003 constitutional referendum in Chechnya may mark a watershed in the U.S. assessment of the Chechnya conflict. A U.S. emissary to the OSCE Permanent Council stated on March 27 that the United States hoped that the referendum would lead to the creation of “institutions of self-government acceptable to the people of Chechnya.”⁴⁹ Further evidence of a shifting assessment was provided by an April 11, 2003, announcement by the State Department that it would not co-sponsor a resolution introduced by the EU and seven other European states at the U.N. Human Rights Commission critical of Russia’s human rights record in Chechnya. It stated that it preferred a less confrontational Chairman’s Statement. The United States had supported resolutions passed by the Commission in 2000 and 2001. The loss of U.S. membership on the Commission in 2002 was widely viewed as contributing to the defeat by one vote of a similar resolution that year, and the regaining of U.S. membership in 2003 was viewed as bolstering the likelihood that such a resolution would pass this year. Although the United States voted for the resolution on April 16, its failure led some observers to view the U.S. decision not to co-sponsor as having weakened the resolution’s chances for passage. These observers juxtaposed the U.S. stance on the resolution to the U.S. determination to forcibly bring democratization and respect for human rights to Iraq. Other observers were supportive of what they viewed as a less strident U.S. tone on Chechnya that would help repair strains in U.S.-Russian relations.

Most telling of a possibly shifting U.S. assessment, Ambassador Michael Southwick, a member of the U.S. delegation to the U.N. Human Rights Commission, defined the holding of the referendum and other moves by Russia as part of the political process to end the conflict, and did not call for Russia to open talks with

⁴⁷ The White House. *Interview of the President by Radio Free Europe/Radio Liberty*, November 18, 2002.

⁴⁸ Federal News Service. *Carnegie Endowment for International Peace Briefing with Ambassador Alexander Vershbow*, January 9, 2003.

⁴⁹ United States Mission to the OSCE. Vienna, Austria, March 27, 2003; State Department Spokesman Richard Boucher on April 11 stated that the referendum “does, sort of, constitute a basis, we think, for trying to move forward with political progress in Chechnya.” *Daily Press Briefing*, April 11, 2003.

Chechen separatists as a part of the process. He also seemingly indicated a U.S. agreement with Russia's stance that Chechen rebel leaders — ostensibly including Maskhadov — are unsuitable negotiating partners by stating that the United States had “demanded that the leadership of the Chechen separatist movement repudiate ... all ties to Chechen and international terrorists. But as far as we are able determine, the Chechen separatist leadership has not done so.”⁵⁰

Congressional Concerns. Prior to 9/11, Congress approved resolutions and other legislation critical of Russia's human rights record in Chechnya. Foreign Operations Appropriations for FY2001 (P.L. 106-429), contained provisions conditioning 60% of aid to the government of Russia on its permission for international aid organization access to the region, calling for Russia to help investigate war crimes and atrocities, and earmarking relief aid for Chechnya and Ingushetia. After President Bush's June 2001 meeting with Putin in Slovenia, Sen. Jesse Helms criticized the Administration for seemingly downplaying the Chechnya conflict.⁵¹

After 9/11, when the United States was largely concerned with forging an international anti-terrorist coalition, including with Russia, Congress continued to display concern over Russia's human rights record in Chechnya. Foreign Operations Appropriations for FY2002 (P.L. 107-115, signed into law on January 10, 2002) retained the previous year's provision conditioning 60% of aid to the government of Russia on its permitting international aid organizations to have access to the region (however, the other provisions were dropped). The Omnibus Appropriations Act for FY2003 (P.L.108-7, including foreign operations, signed into law on February 20, 2003), retains the FY2002 provisions.

Other congressional initiatives include S.Res. 213, introduced by Sens. Paul Wellstone and Sam Brownback and approved in March 2002, emphasizes that the global war on terrorism does not excuse abuses by Russian security forces against Chechen civilians. It calls for Russia to open talks with Maskhadov, allow unfettered access to the region by human rights monitors and aid groups, and provide adequate care for refugees and displaced persons. It also calls on the U.S. President to facilitate peace talks, request information from Russia on human rights abuses, consider possible immigration for Chechens, and ensure that no U.S. aid goes to Russians involved in abuses. Among other action, Rep. Christopher Smith warned in June 2002 that the new strategic relationship emerging between the United States and Russia was jeopardized by the “brutality” of Russian sweeps in Chechnya. He stressed that he was not advocating Chechen separatism, but Russia's adherence to international human rights commitments. In September 2002, eleven Members of the Commission for Security and Cooperation in Europe wrote to President Putin that the Chechnya conflict was “one of the greatest tragedies” among OSCE member-states. They urged that Russia alleviate the “terrible toll of suffering” among the “many innocent victims of the brutal violence” in the region. The Members termed

⁵⁰ The State Department. *Amb. Southwick Explanation of Vote at U.N. Commission on Human Rights*, April 16, 2003.

⁵¹ CRS Report RS20604, *U.S.-Russia Presidential Meeting*.

reports of civilian casualties during sweeps “particularly disturbing,” and called on Russia not to force displaced persons to return to unfit housing in Chechnya.⁵²

Chechen Links to International Terrorism. The Chechnya conflict raises questions about rebel links with international terrorism. Some observers juxtapose the first Chechnya conflict to the second, viewing the first as largely a nationalist conflict (albeitly with some foreign mujahidin aid) and the second as more deeply influenced by Islamic extremism and links to international terrorism. Various types of links with international terrorism may be distinguished, including Chechens who travel abroad, foreigners who travel to Chechnya, and financial aid and arms flows to Chechnya. By most accounts, in recent years only a few hundred Chechens at the most have assisted international terrorism abroad, and only a few hundred mujahidin have traveled to Chechnya to fight or receive training. There are links between Chechen rebels and Afghan mujahidin dating from the early 1990s, when Basayev and other Chechens reportedly received training in Afghanistan, and then went on to assist rebels in Tajikistan and Abkhazia, Georgia. Several individuals from the Middle East assisted the Chechen rebels and were “martyred” during the first as well as the second Chechnya conflicts, according to Chechen rebel sources. Among the most infamous was the Saudi mujahidin Samir bin-Salih bin-Abdallah al-Suwaylim, better known as Khattab, who was allegedly killed during a Russian clandestine operation using biological toxins in March 2002, and whose training camp in Chechnya allegedly was linked to al Qaeda. However, Maskhadov and other Chechen rebel “representatives” have declared that the Chechen rebel leadership has no links to al Qaeda.⁵³

U.S. officials prior to 9/11 recognized that some Chechen rebels received support from international terrorist groups, including al Qaeda, and in principle supported Russia’s efforts to combat these terrorists.⁵⁴ However, there was no formal U.S. designation of any terrorist groups in Chechnya. Two weeks after 9/11, President Bush emphasized that “to the extent that there are terrorists in Chechnya — Arab terrorists associated with the al Qaeda organization — I believe they ought to be brought to justice And we do believe that there are some al Qaeda folks in Chechnya.”⁵⁵ U.S. Deputy Secretary of State Richard Armitage later stated that “we enjoy absolute understanding” with the actions of Russian authorities against international terrorists in Chechnya, including “neutralizing” Khattab.⁵⁶

Perhaps most telling of terrorist backing, Afghanistan’s Taliban regime was the only government in the world to “recognize” Chechnya’s independence in January 2000 and to pledge to help it fight Russia. A few Chechen fighters also reportedly

⁵² *Congressional Record*, June 14, 2002, p. E1047.

⁵³ *FBIS*, October 24, 2002, Doc. No. CEP-256.

⁵⁴ For background, see CRS Report RL30389, *Chechnya*.

⁵⁵ *Newsday*, September 27, 2001. See also FBI. Marion E. (Spike) Bowman. Statement for the Record. Testimony Before the Senate Select Committee on Intelligence, July 31, 2002.

⁵⁶ *Eurasian Insight*, March 1, 2002; *TASS*, January 23, 2002.

helped the Taliban fight the U.S.-led coalition.⁵⁷ While the defeat of the Taliban eliminated a major backer of Chechen separatism, some observers warn that other Islamic extremists may offer backing out of a heightened sense of a Western “attack on Islam.”

Among the al Qaeda hijackers and other conspirators involved in the terrorist events of 9/11 and thereafter, there are a few links to Chechnya. Some of the hijackers reportedly had fought in Chechnya. Zacarias Moussaoui, who allegedly planned to hijack an airplane on 9/11, reportedly assisted Islamic extremists in Chechnya as a computer technician and as a recruiter in 1996-1997.⁵⁸ Spanish authorities have asserted that an al Qaeda cell there not only helped plan the 9/11 attacks but recruited and supported mujahidin sent to Chechnya.⁵⁹ The FBI in September 2002 warned airlines that al Qaeda may have considered using members living in the United States who had fought in Chechnya as possible airline hijackers, since some of these individuals (ostensibly referring to ethnic Chechens) could avoid detection by “racial profiling.” Reportedly, this information was provided to the FBI from an al Qaeda member captured in Chechnya.⁶⁰ Jose Padilla, the al Qaeda operative who allegedly planned to set off a radioactive “dirty bomb” in Washington D.C., reportedly was trained in Chechnya and elsewhere.⁶¹ The hostages held in the Moscow theater in October 2002 included two U.S. citizens, one of whom died.

Among other alleged links between Chechnya and terrorism of U.S. concern, three of the four Saudi nationals who confessed to the 1995 bombing of a U.S. military training facility in Saudi Arabia were veterans of conflicts in Afghanistan, Bosnia, and Chechnya.⁶² Another link to Chechnya involved the U.S. branch of the Islamic charity Benevolence International, which the U.S. Justice Department in October 2002 charged with having ties to al Qaeda and supplying funds to “persons and organizations engaged in violence ... in Chechnya.” Some of the “charity” funds allegedly also were received by Chechens in Georgia’s Pankisi Gorge area.⁶³ In mid-December 2002, French authorities arrested nine members of a terrorist cell with links to al Qaeda and Chechen rebels. Three had received training in Georgia’s Pankisi Gorge and the cell leader had fought with rebels in Chechnya. The group was allegedly preparing to bomb the Russian Embassy in Paris to revenge Russia’s

⁵⁷ The numbers of such Chechens are disputed, but the State Department stresses that al Qaeda’s “055 Brigade,” which fought against the Northern Alliance in Afghanistan, included some Chechen fighters, and that in October 2001, Khattab sent some fighters (presumably including Chechens) to Afghanistan to assist the Taliban against U.S.-led forces. *Statement of the Case: Chechen Groups*, September 28, 2003.

⁵⁸ *Washington Post*, June 12, 2002, p. A1; *Wall Street Journal*, June 29, 2002, p. A3; *USA Today*, June 14, 2002.

⁵⁹ *Defense and Foreign Affairs Daily*, November 19, 2001.

⁶⁰ *Washington Post*, October 2, 2002, p. A16.

⁶¹ *Financial Times*, June 14, 2002, p. 9.

⁶² CRS Report RL31119, *Terrorism*.

⁶³ *Federal Document Clearing House*, News Conference, U.S. Attorney General John Ashcroft, October 9, 2002; *AP*, October 11, 2002.

actions in Chechnya, including its killing of the Saudi terrorist Khattab.⁶⁴ In April 2003, British forces taking part in U.S.-led coalition actions in Iraq reported that they had detained a few Chechen fighters near Baghdad who had been assisting Saddam Hussein's forces.

On September 28, 2003, the United States announced that Secretary of State Powell had on September 14 issued Executive Order 13224, denoting three Chechen organizations — the Islamic International Brigade (IIB), the Special Purpose Islamic Regiment (SPIR), and the Riyadus-Salikhin Reconnaissance and Sabotage Battalion of Chechen Martyrs — as Specially Designated Global Terrorists. They had carried out acts of terrorism in Russia, including hostage-taking and assassination, that “have threatened the safety of U.S. citizens and U.S. national security or foreign policy interests.” All three groups, it stated, had been involved in the Moscow theater incident that included the death of one U.S. citizen. The IIB had been founded and run by Basayev and Khattab, and after Khattab's death, by Basayev and al Walid. Basayev resigned from IIB after the Moscow hostage crisis, but remains the head of Riyadus-Salikhin. SPIR head Movsar Barayev, who died in the siege at the Moscow theater, was also a commander of Riyadus-Salikhin. The State Department reported that Basayev and Khattab had received commitments of financial aid and mujahidin from bin Laden in October 1999, just after Russia had launched its Chechnya campaign, and that al Qaeda helped train Chechen terrorists.⁶⁵

The Executive Order blocks assets of these groups that are in the United States or held by U.S. persons. The United States, Russia, the United Kingdom, China, Spain, and France have requested that the U.N. Sanctions Committee include the groups on its list obligating U.N. members to impose arms and travel sanctions and freeze the assets of the groups, and prohibit persons in their countries from providing resources to them. In announcing the designations, the State Department called on all Chechen leaders to renounce terrorist acts and cut any ties to the groups, but also averred that “we do not consider all Chechen fighters to be terrorists,” and that the United States remains convinced that the Chechnya conflict can only be resolved through peace talks. Critics of the designations argue that they do tend to tar all Chechens as terrorists in the eyes of the world and that they bolster Russia's refusal to negotiate with Chechen rebels.

⁶⁴ *The New York Times*, December 28, 2002, p. A8.

⁶⁵ The State Department concludes that “the IIB, the SPIR, and the Riyadus-Salikhin are clearly associated with al Qaeda, Usama bin Laden, and the Taliban.” *Statement of the Case: Chechen Groups*, September 28, 2003; The State Department. Press Statement. *Terrorist Designation Under Executive Order 13224*, February 28, 2003.

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