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Bringing Peace to Chechnya? Assessments and Implications

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Summary

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. The conflict has resulted in thousands of military and civilian casualties and the massive destruction of housing and infrastructure. Putin's rise to power and continuing popularity have been tied at least partly to his perceived ability to prosecute this conflict successfully. In the run-up to Russian legislative elections in December 2003 and a presidential election in March 2004, Putin endeavored to demonstrate that peace had returned to the region.

After Chechen terrorists held hundreds of Moscow theater-goers hostage in late 2002, the Putin administration appeared unequivocally opposed to talks with the rebels and more dedicated to establishing a pro-Moscow government in Chechnya. This pro-Moscow government has used its own forces to battle the remaining rebels, ostensibly permitting the disengagement and withdrawal of most Russian troops from the region. This "Chechenization" of the conflict, along with related pacification efforts, has constituted the main elements of the Russian government's campaign to wind down the fighting. Pacification efforts have aimed to gain the support or acquiescence of the population to federal control and have included rebuilding assistance and elections. The assassination of a pro-Moscow Chechen leader in May 2004, the attack on a school in the town of Beslan, Russia, in September 2004, by Chechen terrorists, and widening of conflict to other areas of Russia's North Caucasus have raised questions about whether Chechenization and pacification are succeeding.

A consistent theme of U.S. and other international criticism of Russia is that Russian troops use excessive and indiscriminate force to quell separatism in Chechnya and commit serious human rights abuses. Several analysts have discerned a decrease in Bush Administration criticism of Russian policy in Chechnya, perhaps spurred to some degree by the Moscow theater hostage crisis and stepped-up terrorist bombings and armed attacks throughout Russia in recent years. U.S. concerns before the Iraq conflict with gaining Russia's support also may have contributed to the shifts. There appeared to be fewer Administration suggestions to Russia that it should open peace talks with "moderate" separatists, more tolerance for Russia's argument that it primarily was battling terrorism in Chechnya, and some hope that elections and rebuilding in Chechnya could contribute to a "political settlement." But some in the Administration also argue that Russia is showing declining interest in the adoption of Western democratic and human rights "values," and that such slippage could ultimately harm bilateral relations.

Foreign Operations Appropriations for FY2006 (H.R. 3057; P.L. 109-102) retains a provision first included in FY2001 appropriations that cuts some aid to Russia unless the President determines that Russia is not hampering access to Chechnya by non-governmental organizations (NGOs). One issue for the second Session of the 109th Congress is whether to continue this ban in FY2007 legislation.

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Bringing Peace to Chechnya? Assessments and Implications

Background

Russia's then-Premier (and current President) Vladimir Putin ordered military, police, and other 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 occupied most of the region by early 2000.¹ The conflict has ebbed and flowed since then and has resulted in thousands of military and civilian casualties and the massive destruction of housing and infrastructure. Chechen rebel forces, estimated by Russian officials to have declined to several hundred dedicated fighters, currently appear weakened but still tenacious.² They now mainly engage in small-scale armed attacks and bombings, including suicide bombings, against both Russian troops and civilians in Chechnya and other parts of Russia.

Suicide bombings had been relatively rare occurrences in both Chechnya conflicts but appeared to increase after 2001. The deadliest incidents were the hostage-taking at a Moscow theater in October 2002 (although most of the 130 deaths of hostages resulted from the rescue effort) and a suicide truck bombing in December 2002 that destroyed a government building in Chechnya and killed more than seventy. Ten suicide bombings throughout Russia in 2003 — that resulted in over 200 casualties — seemed aimed in part to publicize the Chechnya conflict and to sway voters in upcoming elections in Russia and Chechnya. Chechen rebel leader Shamil Basayev reportedly took responsibility for the Moscow theater hostage-taking and at least two of the suicide bombings.³

¹ The first Chechnya conflict occurred in 1994-1996. For background on the first and second conflicts, see CRS Report RL30389, *Renewed Chechnya Conflict*; CRS Report RL31620, *Russia's Chechnya Conflict: Developments in 2002-2003*, both by Jim Nichol.

² Both sides agree that the rebels have been forced to break up into small units or cells and to rely on unconventional warfare. ITAR-TASS, January 14, 2004; *RIA-Novosti*, January 21, 2004; *Interfax*, January 17, 2004. Russia's Deputy Interior Minister Arkadiy Yedelev stated in October 2005 that there were about 800 rebel fighters remaining in Chechnya, including 100 foreign mercenaries. FBIS, October 18, 2005, Doc. No. CEP-379002. Col. Gen. Anatoly Shkirko dismissed this estimate of the number of rebels, and argued that many Chechens aid the rebels. *Chechnya Weekly*, October 13, 2005.

³ Foreign Broadcast Information Service. *Daily Report: Central Eurasia* (hereafter, *FBIS*), December 23, 2003, Doc. No. CEP-268; ABC News, *Nightline*, July 28, 2005. After the hostage incident at the Moscow theater, Maskhadov reportedly denounced hostage-taking as a tactic and relieved Basayev of his "official" posts. Basayev stated that he had "resigned" as head of the military committee of the State Defense Committee (Majlis ul-
(continued...)

The pace and lethality of suicide bombings and other terrorist attacks increased in 2004, and these attacks spread far beyond Chechnya. A suicide bombing in the Moscow subway in February resulted in about forty casualties. Chechen female suicide bombers downed two Russian commercial airliners in August, killing 89. Other incidents included an attempt to assassinate the leader of Russia's Ingushetia region in April and a large-scale Chechen terrorist attack against security forces and government offices in Ingushetia in June, causing the deaths of about 100 Ingush police. Basayev reportedly took responsibility for this attack, and he received praise from Maskhadov. Attacks in Chechnya's capital of Grozny on August 21, 2004, reportedly resulted in the deaths of about 120 pro-Moscow Chechens. Basayev also claimed responsibility for a September 2004 attack in the town of Beslan in Russia's North Ossetia region, where terrorists seized over 1,100 grade school teachers, students, parents, and others as hostages. The hostage standoff ended with the destruction of the school and the deaths of 320 children and others.

Basayev likewise allegedly claimed to be the primary planner of an October 2005 attack on police and security offices in Nalchik, the capital of Kabardino-Balkaria, that reportedly resulted in the deaths of over 100 police and rebels and nearly two dozen civilians. Russian officials accused two communities of local Islamic extremists of involvement in the attacks (the Yarmuk Jama'at and the Institute of Islamic Studies) with Basayev's assistance, indicating the spread of such extremism throughout the North Caucasus, according to some observers.⁴

Maskhadov was killed during a skirmish with the Russian military on March 8, 2005, and was replaced as "president" and "prime minister" of Chechnya by Abdul-Khalim Sadulayev. In 2002, Maskhadov reportedly had designated Sadulayev as his heir, and Basayev announced after Maskhadov's death that the State Defense Committee (Majlis ul-Shura) of Chechnya had concurred with Maskhadov's wishes.⁵

³ (...continued)

Shura). *FBIS*, November 1, 2002, Doc. No. CEP-50.

⁴ *FBIS*, October 14, 2005, Doc. No. CEP-19003; October 18, 2005, Doc. No. CEP-949006; October 19, 2005, Doc. No. CEP-380002. *Moscow gazeta* reported that, after the Nalchik attack, some 2,000 local citizens had been arrested in "cleansing operations" and that torture was widespread. Muslims who had requested to emigrate were said to be particularly vulnerable to arrest. See *FBIS*, October 26, 2005, Doc. No. CEP-380003. Maskhadov asserted in early February 2005 that "everyone is aware that [Basayev] and I have our differences - primarily based on his choice of warfare methods.... Basayev believes he has a right to use certain methods which I cannot approve.... After the horrifying, tragic events in Beslan, I announced that once the war is over, we shall officially hand over to the International Criminal Tribunal all individuals involved in crimes against humanity - including Basayev, who is suspected of being responsible for the sieges of the Dubrovka theater and the school in Beslan. Until then, I will make every effort to prevent him or any other commanders from targeting Russian civilians." *FBIS*, February 7, 2005, Doc. No. CEP-169; ABC News, *Nightline*, July 28, 2005. However, one reputed rebel website alleged that in January 2005, Maskhadov had re-instated Basayev as amir of the military committee of the Majlis ul-Shura. *FBIS*, March 15, 2005, Doc. No. CEP-213.

⁵ *FBIS*, March 12, 2005, Doc. No. CEP-135; March 18, 2005, Doc. No. CEP-266. Basayev's statement that the Majlis ul-Shura had affirmed Sadulayev as the new president (continued...)

In August 2005, Sadulayev announced a reorganization of the rebel “government” that included naming new “ministers” and dismissing Maskhadov’s “diplomatic” representatives abroad, including “foreign minister” Ilyas Akhmadov. Indicative of close ties, Sadulayev made Basayev his second in command by appointing him the “first deputy prime minister.” While criticizing Basayev’s tactic of hostage-taking as ineffective (but not unethical), he reportedly praised his military leadership and gave him control over all security functions of the rebel “government.”⁶ Sadulayev announced another government re-organization in February 2006 that appeared to further reduce the influence of “moderate” Chechen rebels. He decreed that Zakayev would no longer be the deputy prime minister, with responsibility for foreign policy guidance, although he would remain minister of culture. At the same time, Sadulayev elevated the status of the hardline Islamic ideologist Movladi Udugov by naming him head of a new Information Service.⁷

Since the 2002 Moscow theater siege, the Putin administration has appeared unequivocally opposed to talks with the rebels and more dedicated to establishing a pro-Moscow government in Chechnya. This regional government increasingly is using its own forces to battle the remaining rebels. According to some estimates, there are now about 20,000 Chechen police and security personnel. This has permitted the disengagement and withdrawal of thousands of Russian troops from the region. This “Chechenization” of the conflict, along with related pacification efforts, constitutes the main elements of the Russian government’s campaign to wind down the Chechnya conflict. Pacification efforts aim to gain the support or acquiescence of the population to federal control and include rebuilding assistance and elections. The assassination of the Chechen president in May 2004, and the attack on the school in Beslan in September 2004 have raised questions about whether Chechenization and pacification are succeeding.

The Putin government long claimed that the fight against terrorism in Chechnya required the suspension of some civil rights. However, it claimed in 2002 that ebbing fighting permitted the bolstering of civil rights and arranged a constitutional referendum and a presidential election in the region in 2003. Many human rights organizations nonetheless have documented or alleged ongoing human rights abuses by Russian and pro-Moscow Chechen forces, including sweeps of villages by troops in search of hiding rebels. Such sweeps result in civilian disappearances, summary killings, and hostage-taking for ransom. Although the scale and number of such sweeps may have declined to some degree since 1999, more than 400 civilian abductions may have occurred in 2004 and more than 200 in 2005, according to

⁵ (...continued)

appeared to indicate Basayev’s leading role. *FBIS*, March 9, 2005, Doc. No. CEP-318.

⁶ *Chechnya Weekly*, September 15, 2005.

⁷ *Institute for War and Peace Reporting*, March 10, 2006; *FBIS*, February 5, 2006, Doc. No. CEP-29005; January 30, 2006, Doc. No. CEP-27201. Udugov and Zakayev had publicly clashed on the issue of whether or not the rebels should pursue a jihad embracing the North Caucasus and beyond. Udugov’s apparent promotion and Zakayev’s demotion indicated that Sadulayev had embraced Udugov’s (and Basayev’s) viewpoint.

Russia's Memorial human rights organization.⁸ Many observers have objected to an apparent Chechen government policy of abducting the relatives of rebel leaders, including Maskhadov's, to compel the leaders to surrender.⁹ Chechen rebels also continue to commit abuses.

The Putin government in 2003-2004 pressed displaced Chechens outside the region to return to Chechnya, arguing that civil order had been largely restored and that rebuilding had commenced. By June 2004, authorities had closed tent cities in Chechnya's neighboring Ingush region to force these displaced people to return to Chechnya (or to move elsewhere). During his January 2004 visit to Chechnya, U.N. Undersecretary-General Jan Egeland raised concerns about these efforts to force the Chechens to return, such as by bulldozing camps or turning off electricity, especially since he found that living conditions in Chechnya were still harsh and unsafe. A mid-2005 U.N. assessment indicated that there were still large numbers of internally displaced and ill-housed Chechens.¹⁰

To encourage displaced Chechens to return to the region and to bolster popular support, the Russian government launched a limited program of compensation for the destruction of housing during the conflict that reportedly assisted about 39,000 Chechen families. Reconstruction in Chechnya is lagging far behind schedule, however, because of a lack of coordination between federal and regional

⁸ *RFE/RL Newswire*, January 28, 2004; *Interfax*, January 4, 2004; *Caucasus Times*, November 24, 2003; ITAR-TASS, January 16, 2005; *FBIS*, December 15, 2003, Doc. No. CEP-134; January 29, 2005, Doc. No. CEP-118; January 21, 2005, Doc. No. CEP-58; November 2, 2005, Doc. No. CEP-27125. The Memorial data for 2004 are from only about one-fourth of Chechnya, and data for 2005 also are from some areas of Chechnya and cover the period from January through October. Most sweeps and abductions reportedly are carried out by forces of the pro-Moscow Chechen government or criminal groups, but Russian troops still are implicated in many such actions. Targets allegedly have included Chechens who earlier placed cases before the European Court for Human Rights. PACE's Committee on Legal Affairs and Human Rights in late 2005 was doubtful that the human rights situation had "improved significantly" in Chechnya during the year. It reported that "there is no end to gross human rights abuses ... in the form of murder, enforced disappearance, torture, hostage-taking, and arbitrary detention. In addition, the climate of impunity is spreading ... into other regions in the Northern Caucasus." *Report: Human Rights Violations in the Chechen Republic*, Doc. 10774, December 21, 2005. See also *FBIS*, May 30, 2003, Doc. No. CEP-236; February 1, 2005, Doc. No. CEP-391; Amnesty International, *The Risk of Speaking Out*, November 9, 2004; and Amnesty International, *EU-Russia Summit: AI Calls on EU to Address Growing Persecution of Human Rights Defenders in Chechnya*, November 24, 2004.

⁹ The International Helsinki Federation human rights organization and others in January 2005 sent an open letter to Putin (with copies to the EU-Russia Committee on Parliamentary Cooperation, and PACE) expressing "outrage" over the hostage-taking of insurgents' relatives by representatives of Chechen law enforcement agencies, especially members of the Chechen president's security service, the so-called Kadyrovites, for the purpose of forcing insurgents to cooperate and/or 'surrender voluntarily.'" *FBIS*, January 21, 2005, Doc. No. CEP-288.

¹⁰ U.N. Office for the Coordination of Humanitarian Affairs. Consolidated Appeals Process. *Humanitarian Appeal 2005 for Chechnya: Mid-Year Review*, June 29, 2005.

governments and widespread corruption.¹¹ Noting this slow progress, the U.N. appeal for aid for 2005 stated that the region's population still faced abductions, tortures, terrorist attacks, extrajudicial murders, and rape. The appeal reported that most Chechens remained unemployed and in poverty, many without homes or basic services such as healthcare, education, electricity, water, and sewerage systems.¹²

Elections and Peace-Making

The scheduling of popular elections in Chechnya has been a primary component of Russia's effort to foster peace. The Russian government has hailed elections as restoring civil order, affirming the region's status as a constituent part of Russia, establishing new pro-Moscow political institutions, and formally repudiating the former Chechen government of President Aslan Maskhadov. The Russian government hopes that the new political system will come to be viewed as legitimate by the international community, and that Chechens will at least acquiesce to the new system. The strategy has included holding a constitutional referendum and presidential, legislative, federal, and local elections in Chechnya. This strategy was put to a severe test in May 2004 with the assassination of Akhmad Kadyrov, who had been elected to the Chechen presidency just months previously. The Putin government continued on this course, however, and held new presidential elections in the region in August 2004. The assassination delayed a legislative election until late 2005.¹³

The Constitutional Referendum

The Russian government has portrayed the promulgation of a new Chechen constitution and the holding of a referendum as marking the will of the people to re-establish the rule of law. A pro-Moscow Chechen constitutional commission decided on a final draft constitution in August 2002. Despite promises by Putin that a constitutional referendum would be held in late 2002, pro-Moscow Chechen leader Akhmad Kadyrov 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. Some Chechens protested against holding a referendum absent a peace settlement of the conflict, but Akhmad Kadyrov reportedly dismissed such protesters as enemies.¹⁴ Visiting representatives from the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe in early March appeared to view the

¹¹ *RFE/RL Newswire*, November 6, 2003; *RIA Novosti*, February 10, 2004.

¹² U.N. Office for the Coordination of Humanitarian Affairs. *Humanitarian Appeal 2005 for Chechnya*. At Russia's request, there will not be a 2006 consolidated appeal, but the U.N. plans to continue to assist the Russian government and aid donors because "it is much too early to speak of the phasing out of humanitarian aid in the North Caucasus."

¹³ The head of Chechnya's electoral commission in late January 2005 unfavorably compared just-concluded legislative elections in Iraq to the presidential race in Chechnya, praising the latter as reflecting the "will of the people." *ITAR-TASS*, January 31, 2005.

¹⁴ *Chechnya Weekly*, April 3, 2003.

referendum preparations with a few misgivings, including the absence of organized and open opposition to the constitutional draft. They determined that the unstable and inhospitable environment precluded deploying a full contingent of observers, but recommended that a handful of observers be sent to assess the referendum.¹⁵

The Central Electoral Commission (CEC) reported a very high 89.5% turnout among 569,000 eligible voters and that 96% approved the new constitution. The voting rolls reportedly included about 23,000-30,000 Russian troops who were considered “permanently based” in Chechnya. Also, the authorities deemed that up to 17,000 Chechens displaced in Ingushetia were eligible to vote. The OSCE observers described voting irregularities in the polling places they visited, and some journalists reported few observable voters and many voting irregularities. There were allegations that displaced and resident Chechens were threatened with food aid cutoffs or other sanctions if they did not vote. In some districts, the vote counts reportedly were higher than the number of registered voters.¹⁶ Despite these problems, the OSCE voiced hope that the vote might lead to political talks and the end of human rights abuses. President Putin hailed the win as removing the last serious threat to Russia’s territorial integrity. Putin’s presidential spokesman dismissed criticism of the referendum by some representatives of the Parliamentary Assembly of the Council of Europe (PACE), asserting that they were needlessly badgering Russia.¹⁷

Before the referendum, the Venice Commission of the Council of Europe and others had raised concerns about the secretive constitutional drafting process and unsuccessfully had urged rewriting some sections they viewed as problematic. As approved, the Chechen Constitution appears to spell out fewer powers than those provided in other regional constitutions. The constitution does not provide the region with a special status in the Russian Federation, totally repudiating its uncertain autonomy in 1996-1999. 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

¹⁵ Joint Assessment Mission, Organization for Security and Cooperation in Europe, Office for Democratic Institutions and Human Rights, and the Council of Europe, Secretariat, *Preliminary Statement*, March 3, 2003. Russia strongly objected to a recommendation by the Parliamentary Assembly of the Council of Europe (PACE) in January 2003 to postpone the referendum because of the poor security situation, chaotic voter lists, and lack of critical public discussion. PACE, Resolution 1315, January 29, 2003.

¹⁶ *FBIS*, March 11, 2003, Doc. No. CEP-345; *Chechnya Weekly*, March 27, 2003; *Chicago Tribune*, March 25, 2003.

¹⁷ Organization for Security and Cooperation in Europe, Office for Democratic Institutions and Human Rights, *Press Release*, March 28, 2003; *Interfax*, April 9, 2003; *FBIS*, October 6, 2003, Doc. No. CEP-117.

no advice or consent by the regional legislature and to issue decrees with the force of law.¹⁸

Chechnya's October 2003 Presidential Election

Soon after the constitutional referendum, Putin decreed that a popular election of Chechnya's executive head would take place on October 5, 2003. This election would replace a system put in place in June 2000 whereby Putin directly appointed a head of administration. Many Russian officials publicized this race as demonstrating that local civil order was being restored. Prospective candidates were required either to gather signatures from 2% of the electorate or to pay a \$160,000 deposit. Eleven candidates were registered for the ballot, but three of the major opponents to Akhmad Kadyrov — State Duma deputy Aslambek Aslakhonov and businessmen Malik Saydullayev and Khusein Dzhabrailov — dropped out before the election under circumstances deemed questionable, according to some observers. All three of them had been running ahead of Akhmad Kadyrov, according to several polls.

Just before political campaigning was to begin in early September 2003, Akhmad Kadyrov's security forces seized control of Chechnya's television and radio stations and newspapers. These media highlighted Akhmad Kadyrov's activities and gave scant coverage to other candidates, and Akhmad Kadyrov was virtually the only candidate shown on posters and billboards. On election day, journalists and observers from *Agence France Presse* and the Moscow Helsinki Commission reported a low turnout at several polling places they visited in the region, perhaps partly because many Chechens feared venturing out because of rebel threats of violence. Nonetheless, electoral officials reported that 88% of 562,000 registered voters turned out, of which 81% voted for Akhmad Kadyrov. He allegedly had electoral support throughout Chechnya, including in all mountainous conflict areas. He also presumably enjoyed automatic support from the 23,000-30,000 permanently deployed Russian troops in the region. Reportedly, Chechens being detained at Russian prison camps also voted.¹⁹

The OSCE and the Council of Europe decided that because of security concerns they would not send observers to monitor the election. Afterward, then-chairman of the OSCE Jaap de Hoop Scheffer suggested that media manipulation and a lack of viable opposition candidates had rendered the race non-pluralistic. However, other observers from the Organization of the Islamic Conference (OIC) and the Arab League did monitor the election and declared it unobjectionable, after which they were praised by Putin.

¹⁸ 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.

¹⁹ *AFP*, October 5, 2003. *Interfax*, October 7, 2003. Analyst Alexey Malashenko argues that the majority of the population of Chechnya tends toward conformism and were hesitant to increase tensions with Moscow by voting against its preferred candidate. Carnegie Moscow Center, *Briefing Papers*, September-October 2003.

Akhmad Kadyrov in January 2004 proposed that a prospective Chechen legislative election take place in late 2004, after the construction of legislative buildings. The 122 deputies would be elected for four years and the legislature would consist of two chambers, the Council of the Republic and the National Assembly. These elections were postponed, however, in the wake of Akhmad Kadyrov's assassination, and were not held until late 2005 (see below).

The Assassination of Akhmad Kadyrov and the August 2004 Chechen Presidential Election

Akhmad Kadyrov was assassinated on May 9, 2004, just days after Putin's presidential inauguration, at which Putin had proclaimed that his policies were succeeding in Chechnya. Kadyrov and over twenty others were killed by a bomb that went off under a stadium grandstand. The White House condemned the attack, stating that "no national, ethnic, religious or other cause can ever justify the use of terrorism." The Putin government continued its electoral strategy — rather than returning to direct presidential rule over the region — by seeking another pro-Moscow Chechen to take Kadyrov's place. Kadyrov's son, Ramzan, was viewed by many in Moscow as a suitable candidate, but he did not meet the minimum age requirement to run for the presidency, so the Chechen Interior Minister, Alu Alkhanov, was selected.

Chechnya's electoral commission refused to register Alkhanov's main challenger, Malik Saidullayev, with the result that Alkhanov ran against six less known (and unfavored by Moscow) candidates in the August 29, 2004 race. Allegedly, the pro-Moscow Chechen government ordered local election precincts to report that a majority of votes had been cast for Alkhanov. Many observers viewed the election as problematic and as unlikely to persuade moderate Chechens to embrace the government or rebels to lay down their arms. Sworn into office on October 6, 2004, President Alkhanov pledged to follow Kadyrov's policies, curb abductions of citizens by masked assailants, and convince rebels through an amnesty program to cease fighting.

Indicating the power of supporters of Akhmad Kadyrov, his son Ramzan was named first deputy prime minister while retaining control over the presidential guard, which is widely accused of carrying out abductions and committing serious human rights abuses. Nonetheless, Putin awarded him the title Hero of Russia in December 2004, for his role in "bringing peace" to Chechnya. He also has been appointed the Presidential Security Adviser to the Southern Federal District of Russia and controls federal finances in the republic.²⁰

The November 2005 Chechen Legislative Election

The legislative election was held on November 27, 2005, with 357 candidates contesting 58 seats, 251 in single member constituencies and 106 on the lists of eight registered parties. The Electoral Commission announced on December 3 that turnout

²⁰ C.J. Chivers, *New York Times*, October 6, 2004; *FBIS*, January 28, 2005, Doc. No. CEP-226.

was 69.6% of about 600,000 voters, and that the pro-Putin United Russia Party won 24 seats in the National Assembly and nine seats in the Council of the Republic. The Communist Party gained three seats in the National Assembly and three in the Council of the Republic. The Union of Right Forces won four seats, and the Eurasian Union won one seat. Fourteen deputies who won ran as independents. The OSCE and COE declined to send observers, but the COE sent a fact-finding mission. Its representatives and other observers raised concerns that the reported turnout appeared inflated and that administrative resources were used heavily to support favored candidates. Some observers suggested that relatives and supporters of Ramzan Kadyrov won most or even all of the seats. President Putin the day after the election proclaimed that “a legitimate, representative authority has been elected in Chechnya.... This completes the formal legal procedure of restoring constitutional order.”²¹ Traveling to Chechnya to address the new legislature on December 12, 2005, Putin argued that “Russia has always been the truest and most reliable and consistent defender of the interests of the Islamic world.... In trying to destroy Russia, [the Islamic extremists and those they dupe] are trying to destroy one of the main supporters of the Islamic world in the struggle for their rights in the international arena.”²²

Federal Elections

Marking Chechnya’s full participation as a subject of the Russian Federation in the elections to the State Duma (the lower legislative chamber of the Federal Assembly), polling purportedly took place throughout the region on December 7, 2003. The head of Russia’s Central Electoral Commission later reported, however, that the vote count in Chechnya had exceeded the number of registered voters by about 11%, but attributed the discrepancy to returnees who were added to the electoral rolls when they turned up to vote.²³ Perhaps marking contempt for the Duma as a symbol of Russian power, suicide bombers allegedly targeted the building in early December 2003, but the bombs went off prematurely just short of the legislative building.

Both of Chechnya’s seats in the Russian Federation Council (the upper legislative chamber, where members are selected by the regional governments) became vacant in late 2003. One seat became vacant when Zavgayev won election to the State Duma. On January 5, 2004, Akhmad Kadyrov appointed Umar Dzhabrailov — a wealthy Chechen who ran against Putin in 1999 — to fill this seat (in 1996, the State Department had revoked Dzhabrailov’s visa for entry into the United States in connection with the unsolved Moscow murder of U.S. investor Paul

²¹ *FBIS*, November 28, 2005, Doc. No. CEP-27150; December 5, 2005, Doc. No. CEP-27189; *ITAR-TASS*, November 28, 2005.

²² *FBIS*, December 12, 2005, Doc. No. CEP-27191.

²³ Russian Commentator Ilya Ferapontov termed the vote disparity a sign of “massive falsification of the election results.” *Polit.ru*, December 27, 2003, as reported in *Chechnya Weekly*, January 7, 2004; the *Caucasus Times* on December 12, 2003, alleged that local electoral officials had been directed well before the race to ensure that Zavgayev won the constituency contest and that United Russia win the party list vote. *FBIS*, December 12, 2003, Doc. No. CEP- 61.

Tatum). According to some speculation, Dzhabrailov's appointment may have been a partial reward for the sudden withdrawal of his brother, Khusein, from the presidential election in Chechnya.²⁴ Chechnya's other seat in the upper chamber became vacant when Akhmad Kadyrov removed Adnan Muzykayev and appointed Musa Umarov, another wealthy Chechen who had withdrawn as a candidate for the State Duma election.²⁵

The Federal Presidential Race. In the face of Putin's strong candidacy, many democratic, communist, and other parties and groups called for a boycott of the election to register displeasure with the Russian government, since the electoral law requires a turnout of over 50% for the election to be valid. In January 2004, a Chechen website called for Chechens also to boycott the race as a symbol of protest against the Chechnya War.²⁶ While the Russian government made claims during the 2000 presidential race that some areas of Chechnya were peaceful enough for polling to take place, during this election cycle it claimed that peace and "normalization" are region-wide.²⁷ After the March 14, 2004 presidential election, Chechen electoral officials reported the fourth-highest voter turnout of all Russia's regions (94.2%) and the fourth-highest percentage of votes for Putin (94.4%), a result one Russian newspaper, *Nezavisimaya gazeta*, deemed improbable, since Putin appeared more popular in Chechnya than in his own home town (St. Petersburg).²⁸

Implications for Chechnya and Russia

The Russian and pro-Moscow Chechen governments have hailed elections in Chechnya as marking an emergent peace and rule of law in the republic. Some independent Russian media, however, were highly critical and pointed to the rise in suicide bombings and other violence as proof that questionable elections exacerbate tensions and cannot precede or substitute for a peace settlement.²⁹ Such voting raises questions about its representativeness or inclusiveness and hence its legitimacy, since some portion of the rebel population could not or would not participate, they argue. Several observers have reflected the view that "life in Chechnya did not improve

²⁴ *Chechnya Weekly*, January 7, 2004; Maria Tsvetkova, *Gazeta.ru*, January 5, 2004; *FBIS*, January 9, 2004, Doc. No. CEP- 65.

²⁵ Analyst Lawrence Uzzell points out that according to federal law, Umarov was supposed to be chosen by the regional legislature, in Chechnya's case its interim State Council. *Chechnya Weekly*, January 14, 2004.

²⁶ *Kavkaz-Tsentr News Agency*, January 19, 2004, as reported in *FBIS*, January 20, 2004, Doc. No. CEP-279.

²⁷ Russia: Normal Voting Not Possible in Chechnya, *RFE/RL Feature Article*, March 23, 2000.

²⁸ *FBIS*, March 16, 2004, Doc. No. CEP-186.

²⁹ Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation*, Baltimore, Johns Hopkins, 1996, pp. 366-400.

[after elections] ... it was not safer, and therefore the threat to Russia did not decrease.”³⁰

Impact of Terrorism in Beslan. The hostage-taking in Beslan in September 2004, carried out by Chechens and others (allegedly including two foreigners and with the assistance of some North Ossetians), appeared to galvanize the Putin government to continue its “Chechenization” and pacification strategy in Chechnya, while at the same time stepping up (with the aid of Ramzan Kadyrov’s forces) sweeps, abductions, and disappearances aimed at eliminating rebels. Putin strongly linked the Beslan incident to foreign terrorism and stated that “this is an attack on our country.” Putin used the Beslan attack to increase the centralization of power in the presidency, including by eliminating future direct popular elections of regional/republic leaders.

Observers who argue that Russia’s actions in Chechnya have had negative repercussions on its democratization point to the repercussions of Beslan. They also suggest that central and local governments throughout Russia have come routinely to commit civil rights abuses against ethnic Chechens and similar “swarthy” ethnic groups because of fears that they are separatists or terrorists. Tens of thousands of Russians have served in Chechnya. Russian police who commit abuses in Chechnya allegedly have continued such abuses — even against non-Chechens — when rotated back to their home districts. Military units allegedly have been emboldened by freedom of action in Chechnya, weakening civilian control over the military. Zbigniew Brzezinski has argued that the conflict is “helping to reverse” democratization in Russia as it strengthens the power of the security apparatus.³¹

International Response. During 2003-2006, the international community variously assessed Russia’s peace-making efforts in Chechnya, with European bodies appearing to be more critical. Having earlier called for Russia to cancel the constitutional referendum, PACE in April 2003 approved a resolution warning that the international community might create a war crimes tribunal if Russia did not remedy human rights abuses in Chechnya. However, PACE has not followed up on this warning. The European Parliament in July 2003 appeared less dismissive of the referendum, but echoed PACE in criticizing the non-inclusiveness of the vote,

³⁰ *FBIS*, December 15, 2003, Doc. No. CEP-134; *ITAR-TASS*, November 28, 2005.

³¹ Zbigniew Brzezinski and Fred Hiatt, presentations at the American Enterprise Institute, December 10, 2003. Putin has justified beefing up security forces throughout Russia by asserting that they protect the country from foreign Islamic terrorists who aim to dismember it. *Interfax*, December 18, 2003; *ITAR-TASS*, December 25, 2003. Dmitriy Rogozin, head of the nationalist Motherland party, and other officials have gone farther, depicting the conflict in Chechnya as an attempt by foreign “organizations” to destroy Russia. *RFE/RL Newslines*, November 21, 2003; *ITAR-TASS*, December 17, 2003. One example of the corrosive effect of human rights abuses in Chechnya elsewhere in Russia was provided by Lyudmila Alekseyeva, the head of the Moscow Helsinki Group. She reported that a massive round-up of about 1,000 young men from 13-14 years old up to 30 took place in mid-December 2004 in the town of Blagoveshchensk in Bashkortostan. She termed the seemingly arbitrary round-up, which resulted in many civilian injuries, “similar to the security sweeps that happen in Chechnya. The [police] who went to the town ... had seen service in Chechnya.” *FBIS*, January 3, 2005, Doc. No. 76.

condemning Russian “war crimes” in Chechnya, and urging Russia soon to agree to peace talks under international auspices.

Disagreements within the EU regarding Chechnya policy were highlighted during Putin’s visit to Italy in early November 2003. Premier and EU president Silvio Berlusconi suggested that Western media had exaggerated Russia’s human rights abuses in Chechnya, prompting the European Commission on November 7, 2003, to announce that Berlusconi’s remarks did not represent its official position. Even before Berlusconi’s comments, the European Parliament’s Committee on Foreign Affairs had undertaken an assessment of EU-Russia ties. Its report in January 2004 stated that the EU should place more emphasis on Russia’s human rights abuses in Chechnya and issues such as Chechnya’s “illusory” presidential election.³²

Faced with Russia’s refusal to extend an expiring 2000 agreement for the cooperation of COE human rights advisors with Putin’s Special Representative for human rights in Chechnya, the two sides in December 2003 agreed to some future *ad hoc* COE programs in Chechnya, such as technical assistance for holding elections. These programs were to be coordinated with the special representative. Seeming to place the agreement in limbo, however, Russia abolished this post in late January 2004 and stated that the duly elected Akhmad Kadyrov would guarantee human rights. Following COE criticism, Russia demurred that a new representative would be appointed.

In October 2004, PACE approved resolutions critical of the electoral process in Chechnya and stating that Russia had failed to distinguish between moderate Chechen rebels seeking political dialogue and extremists, and that peace would not be possible until talks began with these moderate forces. PACE also warned that “the conflict in the North Caucasus appears to be spreading like an epidemic, threatening the rule of law throughout the Russian Federation.” PACE expressed “indignation” over unsolved abuses against persons who had filed complaints at the European Court of Human Rights, and their families, and called for Russian authorities to facilitate access by national and international mass media to Chechnya. PACE resolved to set up a working group which would organize round table talks between PACE representatives, the pro-Moscow Chechen government, and former Chechen independence fighters. The first round table talks opened in Chechnya in March 2005. PACE requested that the latter emissaries renounce terror and recognize Russia’s territorial integrity. Maskhadov’s supporters (Maskhadov had just been killed) reportedly refused to take part in the round table because it did not

³² Council of Europe. PACE. *The Human Rights Situation in the Chechnya Republic*, Res. No. 1323, April 2, 2003; *Chechnya Weekly*, April 10, 2003. In July 2003, the COE’s Committee for the Prevention of Torture issued a statement that Russia was not complying with the European Convention on Torture, and warned Russia that it should not abandon civilized values. See also EU. European Parliament. *Resolution on Chechnya*, P5_TA(2003)0335, July 3, 2003; and *Report with a Proposal for a European Parliament Recommendation to the Council on EU-Russia Relations*, A5-0053/2004, February 2, 2004. The European Commission endorsed the *Report* on February 9 as a basis for EU-Russia discussions.

recognize the independence of Chechnya as a goal. A second session of the roundtable had not yet taken place in early 2006.³³

In early 2006, PACE approved a harsh resolution condemning “ongoing serious human rights violations [that] still occur on a massive scale” in Chechnya and raising “deep concerns” that “a fair number of governments, member states and the Committee of Ministers (COM) of the COE have failed to address [violations] in a regular, serious and intensive manner.” It highlighted torture and disappearances committed by Russian government personnel and the government’s slowness in implementing judgments on cases brought by Chechens before the European Court of Human Rights. It called for the Russian government and the COM to address its previous recommendations on addressing abuses, urged the COM to step-up monitoring (which it claimed had not been adequate since early 2004) of the human rights situation in Chechnya, and warned that the COM’s lack of aggressiveness in engaging Russia on abuses was undermining the credibility of the COE.³⁴

Outside these European institutions, the U.N. Human Rights Commission in 2003 and 2004 failed to pass resolutions that accused Russia of grave human rights violations in Chechnya.³⁵ In 2005, the Commission did not consider a resolution. Russia’s actions in Chechnya also appeared to receive legitimacy in the Muslim world when Saudi Arabia shifted its critical stance toward Russia’s policy in Chechnya in January 2004 by hosting Akhmad Kadyrov on a state visit as a bonafide regional leader. According to Akhmad Kadyrov, the Saudis agreed to further crack down on financiers of the Chechen rebels and offered increased humanitarian and rebuilding aid to the region. The Arab League and Organization of the Islamic Conference also observed the late 2005 Chechen legislative elections and reputedly found them acceptable.

International observers and some Russians and Chechens who reject current Russian government policy have made various proposals for peace negotiations.³⁶ In February 2004, nearly 150 European Parliament deputies endorsed a peace proposal first submitted to the body by Chechen “foreign minister” Ilyas Akhmadov in April 2003 that calls for deploying U.N. peacekeepers, withdrawing Russian troops, and disarming rebels. In mid-December 2003, some Chechens who had been elected to the regional legislature before the 1999 Russian incursion met with Akhmad Kadyrov and urged political talks to end the conflict. Reportedly, Akhmad

³³ *Los Angeles Times*, February 8, 2005; *FBIS*, March 22, 2005, Doc. No. CEP-174; March 28, 2005, Doc. No. CEP-9.

³⁴ PACE. *Human rights violations in the Chechen Republic: the Committee of Ministers’ responsibility vis-à-vis the Assembly’s concerns*, Resolution 1479, and Recommendation 1733, January 25, 2006.

³⁵ 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. The United States did not help sponsor the resolution but voted for it.

³⁶ Analyst John Dunlop argues that by refusing to negotiate with moderate rebels, Russia’s can only seek “the enemy’s unconditional surrender. In a guerrilla war, such a stance is clearly unrealistic.” Talk at the American Enterprise Institute, December 10, 2003.

Kadyrov rejected holding such talks, and in turn urged the legislators to convince rebels to surrender.

Maskhadov reportedly ordered his rebel forces to observe a ceasefire February 2-22, 2005, as an inducement to Russia to open peace talks, but the Putin government rejected holding talks. Seventeen Russian human rights activists sent a letter to Putin urging him to open talks with what they termed “moderate rebels,” including Maskhadov. The activists warned that Chechnya was becoming a center for Islamic terrorism and that the conflict threatened to widen and become “eternal.” The Russian government alleged that some rebel attacks continued in Chechnya, indicating that Maskhadov did not control all rebel forces. Basayev, however, stated that his forces would observe the ceasefire. Maskhadov was killed by federal forces in March 2005.

In May 2005, Sadulayev reportedly rejected a U.S. NGO’s call to open talks with Russia and issued a decree establishing the “Caucasus front,” to ostensibly assist the North Caucasian Muslims in resisting Russian abuses and to widen the conflict to force Russia to the peace table.³⁷ In late August 2005, Sadulayev reportedly empowered Akhmed Zakayev as his emissary to “conduct consultations with all interested parties on peacefully regulating the Russian-Chechen conflict,” and stressed that the rebel “government” was “always open to realistic dialogue with Russia” when Russia was ready to sue for peace.³⁸ Although Zakayev was replaced in early 2006, Sadulayev has appeared to continue to emphasize “forcing” Russia to reach a settlement.³⁹

Chechen factionalism is widely expected to make it difficult to arrange peace talks (Russia insists they would be impossible to arrange). Besides including pro-Moscow Chechens, many advocates of talks urge including “moderate” separatists, although there are varying views on who is moderate. Most observers exclude Islamic extremists such as Basayev, because of their terrorist acts, although some argue that all parties to the conflict should be invited to take part in talks. Both

³⁷ *FBIS*, May 18, 2005, Doc. No. FEA-3322.

³⁸ *AP*, February 9, 2005; *RFE/RL Daily Report*, September 1, 2005.

³⁹ In a late March 2006 interview, Sadulayev stated that “we have always taken note of and used political methods, as well as military. But experience shows that in order to propose a peaceful solution to a question one must ... have another side which is prepared to accept peace. The Russians ... do not want peace. That is why we are talking to them in a language they understand [force]... We shall extend the front of the Jihad ... and we shall fight to a victorious end.” *FBIS*, March 29, 2006, Doc. No. CEP-950006. In September 2006, Sadulayev explained that, in contrast to Maskhadov, “I am not prepared to offer peace to the Russians all the time for no particular reason, in order to play up to them.... We have already let the Russians know that peace is possible here at any time, and that this peace depends upon them.” *Chechnya Weekly*, September 15, 2005. In late January 2006, Chechen “foreign minister” Usman Ferzauli reported at PACE that the rebel government was ready at any time to respond to Russian peace overtures. *FBIS*, January 30, 2006, Doc. No. CEP-27201.

Sadulayev and Basayev demand full independence for Chechnya and its adoption of Sharia rule.⁴⁰

Chechnya's Future. Alternative futures facing Chechnya include not only Russia's hope to wind down the conflict but also the possibilities of continued low-level fighting or greatly escalating violence. The Russian government argues that its pacification and Chechenization efforts, along with attrition of the rebel forces, will result in a largely peaceful and secure Chechnya.

According to some observers, the Putin administration is divided on how far to accommodate the pro-Russian Chechen leadership's jockeying for greater self-rule and autonomy. Some observers suggest that the apparent strengthening of Russian nationalism as a result of the State Duma election and the strengthening of the security apparatus within the Putin administration may make the government less supportive of the Chechenization process. The Russian government could do a *volte face* and re-impose a greater degree of direct rule and exclude ethnic Chechens from political and economic control over their region. Reflecting this more nationalist viewpoint, some Russians argue that Chechnya's oil and other resources should serve as reparations to Russia for the economic costs of the conflict.⁴¹

Analyst Rajan Menon and some others argue that low-level conflict may well continue indefinitely, contributing to a downward spiral of "further barbarization of the Russian military, the erosion of Russian democracy, and a Chechnya that breeds ... radicalism and terrorism."⁴² These analysts point to evidence that major human rights abuses — including kidnaping and killing — continue despite the supposed establishment of the rule of law in the region.

Some observers warn that the Chechnya conflict appears to be intensifying again, including not only clashes between Russian forces and Chechen rebels, but also intra-Chechen clan conflict and vendettas that Moscow seems to be overlooking as part of its Chechenization effort. They also warn that Islam is becoming a motivating factor in what formerly was mainly a secular struggle for Chechen independence. Some even caution that Islamic fundamentalism also is increasing among the wider Chechen society. These trends may be creating wider schisms within Chechen society that contribute to religious conflict. Growing Islamic extremism also could make it increasingly difficult in the future for Russia to engage in peace talks that consider less than full independence.

Some observers warn that widening Islamic unrest in the Dagestan, Ingushetia, and Kabardina-Balkariya regions in 2005-2006 is indicative of a widening pool of terrorist recruitment in the North Caucasus. Reportedly, the attackers in Nalchik in

⁴⁰ Sadulayev and Basayev criticized the Akhmadov peace plan's concept of "conditional independence" for Chechnya under a U.N. provisional administration. *FBIS*, January 5, 2004, Doc. No. CEP-67; January 12, 2004, Doc. No. CEP-333; February 2, 2004, Doc. No. CEP-124; *Chechen Times*, January 1, 2004; *Chechnya Weekly*, September 15, 2005.

⁴¹ *Interfax*, January 12, 2004; *The NIS Observed*, January 2004; Security Officials Not Happy with 'Chechenization' Policy, *Chechnya Weekly*, June 30, 2005.

⁴² Rajan Menon, presentation at the American Enterprise Institute, December 10, 2003.

October 2005 included few ethnic Chechens, although the attackers were advised and assisted by Basayev.⁴³

Implications for U.S. Interests

A consistent theme of U.S. and other international criticism of Russia has been that Russian troops are using excessive and indiscriminate force in quelling separatism in Chechnya and otherwise are committing serious human rights abuses. As stated by U.S. Ambassador to Russia Alexander Vershbow in January 2004, Russia's operations in Chechnya "lead ... to needless suffering of the civilian population ... they are not holding enough of their own troops accountable when they commit excesses."⁴⁴

On other issues, several analysts have discerned shifts in Administration policy in recent years, perhaps spurred to some degree by the Moscow theater siege in late 2002 and stepped-up terrorist bombings throughout Russia in 2003 and 2004. U.S. concerns before the Iraq conflict with gaining Russia's support, concerns afterward with terrorist attacks within Iraq on coalition forces, and concerns about the replacement of the "moderate" Maskhadov with Sadulayev (who is an Islamic fundamentalist with close and clear links to Basayev) also may have contributed to the shifts. There appeared to be fewer Administration suggestions to Russia that it should open peace talks with separatists, more tolerance for Russia's argument that it was battling terrorism in Chechnya, and some hope that elections and rebuilding efforts in Chechnya could contribute to a "political settlement."⁴⁵

The Administration's view that elections could contribute to a political settlement was highlighted by the U.S. Mission to the OSCE on March 27, 2003. The U.S. emissary stressed that problematic voting could harm the legitimacy of Russia's peace process, which the United States hoped could create "institutions of self-government acceptable to the people of Chechnya."⁴⁶ In the case of the regional presidential race, President Bush reportedly urged Putin at a September 2003 U.S.-Russia summit to ensure a free and fair election.⁴⁷ After the race, however, State

⁴³ *Chechnya Weekly*, January 14, 2004; *FBIS*, January 20, 2004, Doc. No. CEP-147; *AP*, February 10, 2004; *Chechnya Weekly*, October 27, 2005. Dmitry Kozak, the presidential envoy to the Southern Federal District, in mid-2005 argued that the local officials in the North Caucasus, along with economic problems, were largely to blame for growing Islamic unrest. Analyst Dmitriy Smirnov has argued that Kozak ignored major causes of the unrest, including Russian human rights abuses and the widening of the Chechnya conflict. *Chechnya Weekly*, September 15, 2005.

⁴⁴ Alexander Vershbow, *Russia After the December Elections and U.S.-Russian Relations*, Carnegie Endowment for International Peace, January 8, 2004.

⁴⁵ *Voice of America News*, October 7, 2003; The State Department. *Amb. Southwick Explanation of Vote at U.N. Commission on Human Rights*, April 16, 2003.

⁴⁶ U.S. Mission to the OSCE. *Statement to the OSCE Permanent Council*, March 27, 2003.

⁴⁷ State Department. *Daily Press Briefing*, October 6, 2003. At the summit press conference, however, President Bush emphasized that "terrorists must be opposed wherever (continued...)

Department spokesman Richard Boucher on October 6 criticized the elimination of viable challengers to Akhmad Kadyrov and constraints on the media and concluded that “given these problems, it’s unclear whether the election will have sufficient credibility and legitimacy [among Chechens] to advance the settlement process.” He also called on the “people of Chechnya on both sides ... to work with the Russians to resolve this conflict peacefully.”⁴⁸ Putin downplayed this criticism by stressing “understanding ... from the President of the United States,” regarding Russia’s efforts to combat “Islamic radicalism” in Chechnya, and that “it serves U.S. interests to shore up” such efforts.⁴⁹ Secretary Powell reiterated during his January 2004 Moscow visit that the United States was “not satisfied with” the October 2003 presidential election in Chechnya.⁵⁰ After the August 2004 presidential race in Chechnya, the U.S. State Department described it as having “serious flaws” and not democratic⁵¹

More recently, the State Department has placed more emphasis on the anti-terrorism aspects of the Chechnya conflict. It seemingly has reserved criticism of the character of the November 2005 legislative and previous races in Chechnya and downplayed the idea of talks with moderate separatists.⁵²

Some Administration officials have raised concerns that problematic elections in Chechnya are emblematic of a Russia less interested in adopting Western democratic and human rights “values,” and that such slippage could ultimately harm bilateral relations.⁵³ However, Secretary Powell during his Moscow visit in January 2004 stressed that the conflict was “an internal matter for [Russia] to deal with,” and that U.S. concern would not jeopardize friendship and cooperation with Russia on higher priority strategic issues such as anti-terrorism and combating weapons of mass destruction. A similar response was given by Under Secretary of State R. Nicholas Burns at a press conference after a late 2005 meeting of the U.S.-Russia Counter-

⁴⁷ (...continued)

they spread chaos and destruction, including Chechnya.” White House. Office of the Press Secretary, September 27, 2003.

⁴⁸ U.S. Department of State. *Daily Press Briefing*, October 6, 2003.

⁴⁹ *New York Times*, October 6, 2003.

⁵⁰ U.S. Department of State. Secretary Colin L. Powell. *Opening Remarks at the Civil Society Event*, Moscow, January 27, 2004.

⁵¹ U.S. Department of State. *Daily Press Briefing*, August 30, 2004.

⁵² U.S. Department of State. *Daily Press Briefing*, November 28, 2005. Spokesman Sean McCormack replied to a question about the election that “we hope that the leaders of Chechnya at all levels, working together with Russian officials, would build on the elections that have taken place and find ways to bring the conflict there to an end and to isolate and eliminate terrorists and establish a more normal life based on democratic principles.... We call for an end to human rights abuses by all parties of the conflict and urge that those who have committed such abuses be held accountable and the United States Government supports Russian territorial integrity.... And we reiterate in the strongest terms our condemnation of those who engage in terrorism.”

⁵³ Alexander Vershbow; *U.S.-Russian Relations after the Duma Election*, Carnegie Endowment for International Peace, January 8, 2004.

terrorism Working Group.⁵⁴ Other observers such as Zbigniew Brzezinski have decried such a prioritization on the grounds that it results in U.S. government “indifference” to the plight of the Chechens.⁵⁵

Some observers are increasingly concerned that the Chechnya conflict appears to be spreading into other areas of the North Caucasus as it continues to erode the democratic and moral fabric of Russian society. They worry that a more authoritarian Russian government is not only committing human rights abuses in this wider area, but is threatening “preventive actions” against putative terrorists in neighboring countries such as Georgia, as well as becoming in general less oriented toward integration with the West.⁵⁶

Recent strains in U.S.-Russia relations contributed by the Chechnya conflict include Putin’s December 2004 reaction to a statement by Polish President Aleksander Kwasniewski that Russia without Ukraine is better for the United States than Russia with Ukraine. Putin stated that he did not think that U.S. policy endorsed “isolating” Russia from its neighbors, but that he would ask President Bush about this at the February 2005 U.S.-Russia summit. “If it is [U.S. policy],” Putin suggested, “then the position on Chechnya becomes more understandable. Then it means that the policy aimed at creating elements that rock the Russian Federation is being pursued there too.”⁵⁷

The U.S. government and the U.N. Security Council have labeled some Chechen factions and individuals as terrorists. While there also appears to be ample evidence of foreign Islamic fundamentalist support for some Chechen rebel groups,⁵⁸ the questions of support by al Qaeda and recent rebel support for terrorist actions outside Russia remain controversial. Analyst Brian Williams argues that there is no evidence

⁵⁴ U.S. Department of State. *Transcript*, December 5, 2005. Under Secretary Burns responded to questions about whether the Chechen legislative election or the issue of linkages between Chechen and international terrorism were discussed that “of course we have discussed for many years the question of Chechnya, but in the appropriate channels. In this working group we’re focused on the challenges largely outside the borders of both of our countries and the terrorism threat which is common to both of us.... Of course we discussed Chechnya in a wide variety of meetings with Russian officials, but we don’t do that here. We have a very specific agenda in this particular joint working group.”

⁵⁵ State Department. Secretary Colin L. Powell. *Interview with Vladimir Varfalomeyev at Ekho Moskvyy Radio*. January 27, 2004; Voice of America. *Editorial*, February 3, 2004; Zbigniew Brzezinski, presentation at the American Enterprise Institute, December 10, 2003.

⁵⁶ Vladimir Socor, *Jamestown Monitor*, February 8, 2005; Pavel Felgenhauer, *Moscow Times*, February 8, 2005. In December 2004, Russia refused to agree to continue the mandate for OSCE observers along the Russian-Georgian border, and in early 2005 stepped-up allegations that Chechen terrorists are using Georgia’s Pankisi Gorge and other areas as safe harbors.

⁵⁷ *FBIS*, December 24, 2004, Doc. No. CEP-164.

⁵⁸ U.S. Department of State. *Patterns of Global Terrorism 2002*, April 2003, pp. 31-34; U.N. Security Council. *The New Consolidated List of Individuals and Entities Belonging to or Associated with the Taliban and Al-Qaida Organisation as Established and Maintained by the 1267 Committee*, January 26, 2004; *Washington Post*, February 15, 2004.

of Chechen rebel involvement in Afghanistan or other ties with al Qaeda.⁵⁹ Other analysts argue that there are some al Qaeda members in Chechnya and other links.⁶⁰

Congress consistently has criticized Russia's human rights abuses in Chechnya since the conflict resumed in 1999 and has called for various sanctions. Even after September 11, 2001 — when the Administration's focus was on forging an international anti-terrorist coalition that included Russia — Congress retained a provision first included in FY2001 appropriations that cut some aid to Russia unless the President determined that non-governmental organizations (NGOs) were given full access to Chechnya. Foreign Operations Appropriations for FY2006 (H.R. 3057; P.L. 109-102) retains this provision. The President has made determinations consistently cutting or reprogramming Russian aid on this and other scores.

Congress has been at the forefront in allocating assistance for Chechnya. Conference managers for Emergency Supplemental Appropriations for FY2005 (P.L. 109-13; H.Rept. 109-072) called for \$5 million for humanitarian, conflict mitigation, relief, and recovery assistance for Chechnya and the North Caucasus. For FY2006, conference managers for Foreign Operations Appropriations (H.R. 3057; P.L. 109-102; H.Rept. 109-265) called for another \$5 million for improvements in basic services, community reconstruction and recovery, economic development (especially job creation), the promotion of good governance, human rights, free media, and civil society NGO support for Chechnya and the North Caucasus.⁶¹ Among other congressional concern, in November 2006, Senator Robert Leahy urged President Bush to intercede with President Putin to end the ongoing human rights abuses by Russian troops in Chechnya and suggested that the U.N. should play a larger role in the demilitarization and political settlement of the conflict.⁶²

Congress also has been concerned about lagging democratization in Russia. Commenting on Putin's apparent backtracking on democratization in the face of the Beslan attack, Senator John McCain stated on September 21, 2004, that "I think that Mr. Putin is using this latest terrible tragedy, this horrible thing in Beslan as an excuse to further consolidate his power, to repress the media, to have a Duma that will basically be a rubber stamp ... But, also, it won't stop the war with the Chechens until they receive some kind of autonomy or independence. He is fighting an insurgency that's been overtaken by extremists because of the incredible brutality

⁵⁹ *Chechnya Weekly*, October 2, 2003; *FBIS*, January 8, 2004, Doc. No. CEP-13.

⁶⁰ *Time*, May 26, 2003; *Christian Science Monitor*, July 8, 2003; Paul Tumelty, *The Chechen Wars 2005: Background*, American Committee for Peace in Chechnya, January 2005; *FBIS*, February 20, 2006, Doc. No. CEP-27195. Russian officials reported that al Qaeda's recent financier in Chechnya, Dzhaber, was killed in late 2005. *FBIS*, November 18, 2005, Doc. No. CEP-27247. For evidence of al Qaeda formerly present just across Chechnya's borders, see CRS Report RS21319, *Georgia's Pankisi Gorge*, by Jim Nichol; *FBIS*, January 14, 2005, Doc. No. CEP-52; and *Interfax*, January 13, 2005.

⁶¹ On July 18, 2005, Amendment SA1235 to H.R. 3057 (Sen. Mitch McConnell, for Sen. Leahy), was introduced and passed, which called for \$5 million for assistance to Chechnya. *Congressional Record*, July 18, 2005, pp. S8395, S8429.

⁶² *Congressional Record*, September 7, 2005, p. S9718.

that's been inflicted on the Chechens. ... he's got to find some moderates in Chechnya and set them up in a government and give them some kind of autonomy."⁶³

Issues for the second Session of the 109th Congress include weighing the benefits of Russian support for U.S.-backed anti-terrorism efforts against continuing a ban on some aid to Russia. The Chechen government has permitted a few NGOs and international aid agencies to set up offices in the region. However, many of the groups have faced Russian government impediments to their operations, remain troubled by ongoing violence in the region, and are suspicious that Russian forces may be among those targeting aid workers.⁶⁴ The U.N., EU, and others still prefer to have aid offices outside of Chechnya, and press Russia to facilitate freer access by these offices to Chechnya.

Russia's new law that tightens reporting requirements and the activities of NGOs may hinder their access (the law comes into effect in April 2006). Even before this date, it appears that the pro-Russian Chechnya government may be growing less supportive of the activities of NGOs. One troubling incident was Ramzan Kadyrov's early February 2006 ban on the activities of the Danish Refugee Council NGO. He accused it of aiding Chechen rebels, spying for the West, and reflecting anti-Islamic views (a Danish newspaper had published a caricature of the Prophet Mohammed). The ban was heavily criticized by the international community and by many in Chechnya and Russia. The ban was soon repudiated by the Russian government and the NGO resumed activities in Chechnya in early March 2006.⁶⁵

⁶³ *Interview with Sen. McCain*, Fox News, September 21, 2004.

⁶⁴ *Human Rights Watch Briefing Paper*, Managing Civil Society: Are NGOs Next? November 22, 2005.

⁶⁵ *Institute for War and Peace Reporting*, February 24, 2006; *Chechnya: EU Commission Reply on NGO-North Caucasus Question*, February 27, 2006, E-0367/06EN.