



CHECHNYA PEACE FORUM

Speech by Ivar Amundsen – CHECK AGAINST DELIVERY

Situation in Chechnya, EPP-ED Hearing, European Parliament, Brussels, 18th March 2009

I wish to thank the organizers for putting war crimes and the human rights situation in Chechnya on the agenda.

The famous Nobel Peace Prize Laureate Elie Wiesel says the following on his website:

- Sometimes we must interfere,
- When human lives are endangered,
- When human dignity is in jeopardy,
- National borders and sensitivities become irrelevant,
- Whenever men or women are persecuted because of their race, religion or political views
- That place must – at that moment
- Become the centre of the Universe.

Elie Wiesel is also known for the following:

“The opposite of love is not hate – but indifference.”

As a human rights campaigner I am appalled at the indifference by the so-called “International Community” in relation to world crises. It goes for war atrocities, crimes against humanity and even genocide, concerning individuals, nations and international organizations. It is not for the lack of political instruments - We have the United Nations, the Council of Europe, G20, International Courts, International Human Rights Conventions – and we have well developed civilized minds that know so well the difference between right and wrong.

Yet, determined and resolute action to save victims and to bring perpetrators to justice falls short when crises occur. The lack of address is often explained as “Realpolitik.” I would call it: “Immorality, Irresponsibility and Cowardice.”

My particular concern is for Chechnya and its people. Chechnya is a European territory and therefore the explicit jurisdiction of the Council of Europe, but also, of course, a concern for the European Parliament.

I am the Director of the Chechnya Peace Forum and our mission is to restore liberty – human rights – democracy – and the rule of law to the people of Chechnya, but we realize that this cannot be viewed in isolation and must be seen in the context of what else is happening in Russia and the Caucasus.

That is why we also seek to bring to attention the weak position of democracy in Russia. The Kremlin call it “Sovereign Democracy.” A more accurate term would be “So-called Democracy.” Some Russia experts refer to it as a “*police state*” or even a “*gangster state*.”

What characterizes the Russian society today is a profound absence of justice and the rule of law: Massive corruption, the murders of journalists, dissidents and human rights campaigners, suppression of political opposition, effective press censorship and elements of extreme nationalism and xenophobia. Nor is it coincidental that the Kremlin has developed a youth organization "Nashi," an ideological brigade of 100.000 members that are used for support rallies for the president, or harassment of political opposition.

All these elements, including terrorism and the war in Chechnya represent an image of threat and an emergency situation that serves to justify strong state control.

The Russian society today is in fundamental and deliberate imbalance. This is a target in itself, because it allows a suppression of democracy and civil liberties, the absence of which are essential for the number one political end for the Kremlin – to retain control for itself.

From this it also follows that a balanced and open society with civil liberties, the rule of law, a true democracy with press freedom and a diversified political environ represent a threat to the Kremlin and the FSB: Their power base and control could not survive with these virtues.

The West should pay careful attention to this and start addressing the task of implementing democracy in Russia. A good starting point is to insist on freedom and self determination for the Chechen people.

From the brutal Russian warfare in Chechnya I conclude that:

1. Russia violates the UN Charter and Human Rights Convention
2. Russia violates the Charter and Human Rights Convention of the Council of Europe
3. Russia violates the Peace Treaty signed by presidents Yeltsin and Maskadov 12th May 1997.
4. Russia should be tried at an international Court for their war crimes in Chechnya.
5. Russia violates international law – because Chechnya should have had its rightful independence and Sovereignty with all other previous Union republics after the dissolution of the Soviet Union in 1991. It therefore also violates the Supreme Soviet resolutions of April 1990, preceding the dissolution of the Union.

The last point requires an explanation.

As part of the process that led up to the dissolution of the Soviet Union at the end of 1991, three remarkable resolutions were passed by the Supreme Soviet on 3rd, 10th and 26th of April in 1990.

These resolutions not only allowed, but actually urged the Union republics to hold referendums and elections, declare independence and establish own constitutions, parliaments and governments. Autonomous republics, such as Chechnya, were given the right to elevate themselves to Union republics and run the procedure proclaimed for sovereignty.

In accordance with this legislation The Supreme Soviet of the Chechen-Ingush republic on 27th November 1990 adopted a "Declaration of State Sovereignty of the Chechen-Ingush republic," proclaiming it a sovereign state that was going to participate in Union and Federation treaties on equal footing with the other Union republics. The declaration was endorsed by the Soviet leader of the Chechen-Ingush Autonomous Socialist Republic, Mr. Doku Savgaev. He had been appointed First Secretary of the Communist party in 1989.

From this day Chechnya was a sovereign entity on the same legal level as all the other Union republics that claimed independence the following year. On 8th June 1991 the Chechen National

Congress reconfirmed Chechnya's independence. Chechnya adopted its Constitution on 12th March 1992.

Chechnya was also present at the meeting which was to be in Moscow 20th August 1991 when the Union republics' representatives had gathered to sign a new union treaty. This was part of Russian president Boris Yeltsin's drive to have the Soviet Union dissolved. However, the day before, on 19th August Soviet president Gorbachev was dramatically detained at his dacha by the Black Sea in a coup d' etat or – "putsch." The intention was to thwart the abolishment of the Soviet Union and hardline conservative communists were behind the action. Many people suspect, however, that the putsch against Gorbachev was in fact orchestrated by himself – in a desperate attempt to save the Union from dissolution. With Perestroika and Glasnost he had started a process, which for him, came out of control and went much further than he had envisaged.

A treaty to the same effect was signed by the major republics in early December, this time without the presence of Chechnya. On 26th December 1991 the Council of Republics of the Supreme Soviet of the USSR declared the dissolution of the Union and also dissolved itself.

The Soviet Union had ceased to exist.

Vladimir Putin has termed the event: **"The greatest geo-political catastrophe of the last century."** I would say it was one of the greatest political miracles of all time.

Russia illegally included the Chechen territory into its own Constitution in 1993, and equally illegally went to war against the Chechen republic in 1994. As Yeltsin put it: *"To bring about Constitutional order."* About 100.000 Chechens were killed and the towns were bombed to rubble. However, the Russians also took heavy losses and the war became increasingly unpopular in Russia. Before the up-coming presidential election in 1996 Yeltsin decided to pull out and a peace treaty was signed by president Yeltsin and Chechnya's newly elected president Aslan Maskadov on 12th May 1997. The two contracting parties committed to not resort to violence in any future conflict.

This treaty is also a very strong documentation for Chechnya's independence. It is a treaty signed by two heads of state and bears all the characteristics of closing an *international* conflict. Indeed, this is another *Russian* recognition of Chechnya's legal status as a sovereign state.

Four months earlier, on 27th January there was a general election in Chechnya. The new Parliament was formed and Aslan Maskadov was elected president. The election was monitored by OSCE who characterized it *"free and fair."* Upon reflection it just may have been the only "free and fair" election in all of the previous Soviet Union!

It should be added that a couple of days after the election, 2nd February, Yeltsin sent Maskadov a letter to congratulate him on winning the Chechen presidency. President to president, state to state – another strong Russian recognition of Chechnya's sovereignty!

This is all the more noteworthy because the election is based on the Chechen Constitution adopted by the Chechen Parliament at the time of president Dudaev in March 1992. Article 1 of this Constitution reads as follows:

The Chechen republic is a sovereign democratic and legal state created as a result of self determination of the Chechen people. It has the supreme right concerning the territory and national riches; independently determines external and internal policies, adopts Constitution and laws taking effect in its territory. The state sovereignty of the Chechen republic is indivisible.

A letter of congratulations to president Maskadov is therefore a recognition of the actual election, and also implicitly of the Constitution upon which the election is based.

Two years later, in autumn 1999, president Yeltsin had just got himself a new Prime Minister; Vladimir Putin, who came from the top job of the Russian secret police, FSB. Upon introducing him, Yeltsin, declared that *"He will succeed me as president"* and *"Putin will solve the Chechen problem for good."* To the latter Putin replied: *"Yes, and we will do the last one – even if we have to pull him out of the shithouse."*

Some political statement from a newly appointed Prime Minister!

In September 1999 bomb explosions in blocks of flats in Moscow and other cities at night killed 294 innocent civilian Russians. Putin was quick to put the blame on Chechen separatists and he mobilized for an all-out military campaign against the little Caucasian neighbour.

There is, however, an abundance of evidence that the bombings were carried out by FSB itself in a cynical operation to produce a pretence for a new Russian war on Chechnya, the purpose of which should be to secure the then totally unknown Vladimir Putin the presidency in the spring election of 2000. My friends Anna Politkovskaya and Alexander Litvinenko have written extensively about it, and they were both murdered for it. The previous Prime Minister Sergej Stepashin has disclosed that the second war on Chechnya had actually been planned by FSB as early as in March 1998.

The war waged on Chechnya, Yeltsin resigned on New Years Eve, Putin became acting president, and sufficiently well known to win the presidency a few months later. It should be added that the Times newspaper in London had an interesting article documenting massive election rigging in Putin's favour to secure him the result.

The FSB got their man in place!

The history of Chechnya is one of suppression and endless suffering, both in the long term in a more recent context. Today the war is *not* over. Chechnya is run by a Russian puppet regime and a state of emergency prevails. Disappearances, torture, rape, extra-judicial killings and the silencing of journalists, human rights defenders and witnesses are commonplace. Chechens are subjected to a climate of fear and oppression, with no avenues to seek justice.

Ladies and Gentlemen – this is our agenda! This is our responsibility! The Council of Europe and European Parliament have a commission to ensure peace, human rights, human dignity and the rule of law in our geographic environ. The UN adopted some years ago a document which was titled: *"The Responsibility to Protect."* We have a responsibility to protect the Chechen people, we have a *duty* to protect the Chechen people, their freedom and their political and legal rights.

There are three dimensions that call for our genuine involvement:

First, - the conditions for the Chechen citizens today.

Second,- the geo-political stability in the Caucasus, and

Thirdly,- stability and freedom in Chechnya is key to the process of dismantling the state of emergency in Russia and the building of democracy within Russia – so much needed for ensuring world peace.

What is required in Chechnya is a free and fair election, so that the Chechens can elect their own governance. This has not happened since 1997 – over a decade ago. All subsequent "elections" including a referendum have been rigged to absolute ridicule.

The OSCE was heavily involved in the 1997 election, and ensured a free and fair result. They must of course be involved again. Chechnya is occupied by foreign forces and governed by their collaborators. Under such conditions there cannot be a fair election. So, the exercise must be to hold Russia to all their international obligations, whether they concern the legal framework of Chechnya or the Council of Europe's Convention of Human Rights.

President Dmitri Medvedev said to CNN shortly after his inauguration to office last year: **"Every people have the right to self determination."**

That is the right approach and with proper resolve Europe should insist on it taking place in Chechnya.

I challenge the Council of Europe and the European Parliament to formulate a precise and expedient policy to hold Russia to all their international obligations in Chechnya. There is absolutely no excuse for sacrificing a European people because of an absence of determination, moral obligation, and political will.

Thank you.