

**THE CRISIS IN CHECHNYA: CAUSES, PROSPECTS, SOLUTIONS**  
**3-4 March 2000**  
**Princeton, New Jersey**

**Conference Summary**

Introduction

The outbreak of the current crisis in Chechnya during the late summer of 1999 is highly reminiscent of the previous conflict in the republic between 1994-96. The situation in Chechnya is above all a humanitarian disaster, representing the greatest incidence of suffering among the civilian population in the OSCE region since the war in Bosnia and Herzegovina and in Kosovo. On another level it is a case study for the principle of self-determination, which lies at the heart of the cause of the conflict and will inevitably play a role in its resolution.

The colloquium took place at a time when it was clear that the prospects for a political solution to the conflict were very limited. A major prerequisite for such a political solution - the necessary political will of both parties - was not present at the time of the colloquium. Much to the regret of the conference organizers, the Russian side declined to send representatives and hence several of the states in the region chose not to participate as well.

Panel Discussion on March 2, 2000

The keynote speaker criticized the NATO intervention in Kosovo for several reasons, namely that it worsened relations between the United States and the Russian Federation, weakened NATO credibility, further impeded NATO's eastern enlargement, and caused suffering and casualties among the Serbian civilian population. In addition, the absence of a clear national security interest for the United States was noted as yet another reason for avoiding this intervention.

According to the keynote speaker, NATO's intervention in Kosovo has provided the Russian military with an additional justification for seeking a military, instead of political, solution to the conflict in Chechnya. NATO's Kosovo operation also makes it difficult for the West to criticize the Russian political leadership regarding its actions in the Caucasus.

Conference Sessions, March 3-4, 2000

With regard to the outbreak of the present conflict, the second Chechen war of the 1990s, both sides were blamed to varying degrees. The Chechen government was blamed for having failed to stop the invasions of neighboring Dagestan by renegade elements of the Chechen military and leadership (led by Shamil Basayev and Khattab), as well as for failing to capitalize on the opportunities provided by a time of relative peace after the ratification of the Khasyavurt Agreements in May 1996 by both the Russians and the Chechens. Accusations were leveled at the Russian government for having purposefully provoked the events that triggered the war's

outbreak, and for having conducted an economic and political blockade of Chechnya in the inter-war years. All participants were in agreement that the means by which Russia has conducted this war are unjustifiable, both in terms of the disproportionate use of force and in failing to distinguish between combatants and civilians.

The following points were discussed:

#### *Developments between the Two Chechen Wars of the 1990s*

The events and developments in Chechnya between 1997-99 are subject to various interpretations. On the one hand, it can be argued that the Chechens carelessly and inexpertly let a rare opportunity for greater autonomy and self-governance pass. This chance to develop the basic institutions and foundations of a working civil society will not come again.

On the other hand, the period between the two Chechen wars was not a time of peace, but rather a period of absence of armed conflict. During this time Russia sought to prevent any positive developments within Chechnya, particularly on the economic level, and thereby helped to bring about a radicalization of the Chechen population.

The Chechen representation emphasized that neither the government nor Chechen society is attracted to fundamentalist Islam, and that Chechnya's primary goal was and is to increase contacts with the West and to seek more extensive support (an appeal that is strongly reminiscent of the early stages of the war in Bosnia and Herzegovina). President Maskhadov's performance during the inter-war period received mixed reviews, though most agreed that he is the legitimate ruler of Chechnya, having been elected president in 1997. Maskhadov was criticized in particular for not having cracked down with a firm hand after hardline Wahabbi Muslims rebelled against the Chechen government in the city of Gudermes in 1998. Yet Maskhadov was operating in extremely difficult circumstances as neither Russia nor the West were ever prepared to lend political or economic support to his relatively moderate position.

The failure of the Chechen regime to take proper action regarding the kidnappings was also raised, though in response to this criticism it was noted that kidnappings are a practice common to the entire Caucasus region and not just to Chechnya. One participant complained that the negative stories about Chechnya were selectively reported and blown out of proportion. However, this last claim was countered with the assertion that countless kidnappings in Ingushetia and Dagestan could also be blamed on Chechen irregulars.

#### *The Domestic Political Situation within the Russian Federation*

There was a consensus that the 1999-2000 Chechen conflict had a strong element of domestic Russian politics, which led many to speculate as to whether Russian policy would change significantly after Vladimir Putin changed from presidential frontrunner to president-elect on March 26, 2000.

In contrast to the first war, this Chechen campaign has been supported by both the Russian intellectual elite and the media. Any critical voices have been till now largely isolated. The

aversion of the Russian population to people from the Caucasus in general and to the Chechens in particular has traditionally been extremely strong. The antipathies were only intensified as a result of the kidnappings and Russian apartment bombings, for which Moscow blamed the Chechens.

### *Background to the Second Chechnya Campaign*

The events leading up to the second Chechnya war are more or less well-known: uncontrolled behavior of the Chechen militia, particularly in the form of kidnappings and murders; apparent involvement in organized crime; the Chechen incursions into Dagestan; and the bombings of Russian apartment buildings. Some argued that the Russian military operation was long planned.

The fact that no convincing proof of Chechen guilt in the apartment bombings has been presented led some to speculate on the veracity of the official Russian story, yet neither is there any evidence to support the "conspiracy theory" that ties responsibility to the Russian FSB (the successor to the KGB). A third option was also raised: defective gas pipes could have been the cause for the explosions. In any case, the Russian leadership has exploited the tragedy of the bombings for political purposes.

### *The Military Situation as of March 2000*

Contrary to Moscow's announcements, the war is not over but has merely taken on a different form. Chechen ambushes at Russian positions in areas where Russia claims to control, occur on a regular basis, despite Chechen President Maskhadov's recent call for a temporary halt to the hostilities. - Indeed come spring to the region, it is feared that Chechen guerilla activities will increase.

The Chechen leadership claims to have fighters in all cities in the republic, who are prepared to undertake operations against the Russian troops. These fighters are primarily males who are usually engaged in civilian activities but who are prepared to join in military operations when called upon to do so. This could thus be used in order to better understand - though not condone - the extremely brutal manner in which the Russians have treated the civilian population. The Chechens are not only battle-trying, highly motivated, and accustomed to fighting, but they have no other choice but to continue to fight.

Conference participants speculated on the nature of a final military solution to the conflict. Many thought it impossible for Russia to achieve complete control over Chechnya in the near future, either in a military, political or economic sense. In order to maintain control over the Chechen territory, approximately 150,000 men would be required (in accordance with the estimates of most experts, there are currently 93,000 Russian soldiers in Chechnya).

For its part, the Chechen leadership claims to be able to field approximately 15,000 troops, of which 6,000 are permanently armed. Frequently weapons are taken from Russian forces who had left a great arsenal when they abandoned their bases in 1992. The true level of the Chechen population's support for the war was a key focus of the debate. One expert said that the Chechen people were undivided in their support for the Chechen leadership and its conduct of the war,

while another expert argued that many in the population, especially the refugees, were tired and wished the war would just end. Despite official Chechen propaganda that claims complete national unity against the Russian occupying force, there exists visible war-weariness among the population and a rejection of radical activists such as Shamil Basayev. That increasing exasperation and frustration should not surprise, as it is the Chechen civilian population that carries the brunt of the suffering in the ongoing conflict.

Given that it would be extremely difficult for the Russian army to achieve complete control over Chechnya without resorting to a policy of complete annihilation of the Chechen people, and given that the wounds of this fight go far too deep to be easily forgotten, the following scenario is likely. Ambushes, bombings, and other guerilla operations will lead to an "Afghanistan scenario" - i.e., continued guerilla conflict - whereby the Russians control the cities and significant communications lines while the Chechen rebels control the mountainous areas that form the bulk of Chechnya's territory.

On the whole, a realistic analysis of the present situation is extremely difficult, not only because the "fog of war" situation continues, but also because the full impact of the recently conducted Russian elections (in which the conflict in Chechnya played a significant role) has yet to be felt. President-elect Putin has yet to make any significant policy changes regarding Chechnya. Both sides thus continue to present and publicize the situation in a manner that best serves their interests. The manipulation, and in certain instances even the outright invention of "facts" has become general practice in both camps.

### *Legal Dimensions*

The basis for the Chechens' claim to independence lies in their refusal to sign the Russian Federation Treaty of 1992, as well as the claim that because the dissolution of the Soviet Union was illegal then legal arguments based upon the Soviet Constitution have become invalid. Most importantly, the Khasavyurt Agreement (30 October 1996), signed by both the Chechens and the Russians, explicitly refers to the right of self-determination and stipulates that relations between the Chechen Republic and the Russian Federation be governed by the universally accepted principles and norms of international law.

The Chechen representation declared that President Aslan Maskhadov and his government are not insisting on complete and unconditional independence, and even cited the example of Puerto Rico within the United States as a potential model to build upon. This conforms to the idea of LRPSD that borders should not be changed, rather decentralization and self-governance should be maximized and regional cooperation and integration enhanced.

At the meeting a general consensus on Chechnya's situation under international law emerged, namely in view of the state's predominance and privilege in the current international system, it appears highly unlikely that the Chechens will be able to make a legitimate and credible claim to independence. The vast majority of states, and in particular the great powers, consider Chechnya an inalienable part of the Russian Federation - thus they would refrain from recognition.

### *War Crimes and the Pursuit of Justice*

It was recognized by all those present, that the Russian side is responsible for systematic and serious human rights violations. It was pointed out, however, that the term "genocide," which is sometimes used in connection with the war in Chechnya, has a clear meaning in international law and should not be used in the current context.

In that context it was noted on several occasions that the question of "justice," i.e. the punishment of such crimes - on both sides - is of fundamental importance for a long-term political solution in the region. Others were of the opposite opinion, i.e., that it is unclear how the pursuit of justice would further the cause of peace in the area and improve the daily lives of the average civilian. If the wounds of this war are so deep that the peaceful cohabitation of the Chechen and Russian populations is unlikely, then the pursuit of justice may be secondary to achieving peace. Many responded to this view that the pursuit of peace and justice must occur simultaneously, and that one will not succeed without the other.

As for the criminal prosecution of war crimes and crimes against humanity already committed, an international justice mechanism such as a war crimes tribunal does not - and will not - exist. Further, very little can be expected from the Russian judicial organs in this respect.

### *The Humanitarian Situation*

The humanitarian situation in the region is extremely precarious and complex, and would have merited treatment in a session of its own. Since the early 1990s approximately 100,000 persons are supposed to have died, out of a population of around 1 million. The limited presence of humanitarian organizations and aid groups, particularly in Ingushetia, is a result both of restrictions placed by Russia as well as the grave security problems associated with sending personnel to the region. A majority of the population that has fled Chechnya appears to be set on returning, which will lead to severe needs on the ground, particularly in housing. Another danger is that humanitarian organizations are manipulated as substitutes for a political solution to the conflict. Instrumentalizing the work of these groups only increases the security risks for their personnel. It is necessary to first find a solution to the political aspects associated with their work, before they can undertake any significant action.

### *Chechnya in the Caucasus – The Region*

Chechnya borders on the other parts of the Russian Federation (North) and Dagestan (East), the Republic of Georgia (South), and Ingushetia (West). Chechnya is similar to many of the other entities in the Caucasus region with its widespread corruption, willingness of political leaders to turn to violence, uncertain economic future, suffering of the civil population, and unresolved territorial disputes.

Nevertheless, Chechnya differs significantly from most of the other parts of the Caucasus in two dimensions: First, in Chechnya there are armed groups that claim to speak for the entire Chechen population and insist on seceding from the Russian Federation. Second, Chechnya's 'colonial era' status under the Soviet Union meant that Chechnya was merely an autonomous region - in

contrast to other regions which were Republics of the Union and thus had a constitutional claim to independence. According to the assessment of one participant, there is little legal ground for either Chechnya or other minority regions in the Caucasus to demand independence. Other participants responded that Chechnya's supposedly unique situation lent special weight to its case, with the response that all self-determination movements around the world claim uniqueness, and chaos would result if all were granted the right of secession.

### *The Role of Outside Actors*

The discussion of the role of outside powers was raised in relation to questions regarding the financing of the Chechen armed forces, as well as the related deployment of mercenaries. The Chechen representation asserted that they were able to maintain the fighting power of their armed forces through revenue obtained from Chechen oil production and from weapons they had captured from the Russian forces. - Other participants received that assertion with significant skepticism. Some argued that a great deal of income was received from counterfeiting, drug smuggling and hostage taking, including illegal oil trade. Apparently it is true that foreign fighters were active on Chechen territory, above all with negative repercussions, yet their presence was neither requested nor desired by the Chechen government. Furthermore, the foreign mercenaries and adventurers apparently hardly fought against the Russian troops, and instead moved immediately to more secure and safe areas.

### *Possible "Domino Effect"*

As in the case of the former Yugoslavia, as well as in East Timor, reference was made to a possible "domino effect" - that Chechen independence could (or inevitably 'must') cause numerous other potentially violent claims to independence elsewhere. However, it was noted also that the de facto independence of Chechnya between the years of 1996-99 did not lead to any considerable movements of this nature. On the contrary, the opinion was expressed that none of the Russian regions bordering Chechnya desired independence, as they - unlike an independent Chechnya - would not be economically viable.

However, the Russian federal problem is real, and independence claims from other regions, cities, and even villages arise frequently throughout the country. Perhaps the most significant aspect of this is the fact that the Russian federal system, as it exists on paper, is not at all functional in practice. The Russian Federation is characterized by strong centrifugal forces that find expression in the widespread underpayment of taxes by the regions to the federal budget, and regions conducting their own independent cross-border trade with other nations as well as signing separate economic treaties. Up to 60% of the administrative units within the federation have adopted legislation that contradicts the Federation Treaty and/or the Constitution. The weakness of the Russian federal system must thus be kept in mind when discussing the Chechnya problem.

### *The Role of International Organizations*

In contrast to the first Chechen war of the 1990s, international organizations do not play a significant role at this time. At the United Nations, no noteworthy efforts were made to bring the

situation in Chechnya onto the agenda, neither at the Security Council nor in the General Assembly. The Organization for Security and Cooperation in Europe (OSCE) continues to lead with its Assistance Group to Chechnya, which until now has been completely excluded from the conflict, having not even been in Chechnya for a considerable period of time. As of April the Parliamentary Assembly of the Council of Europe had recommended to the Council of Ministers to consider suspending Russian membership in the organization, and the Russian invitation of the Council's High Commissioner for Human Rights, Gil Alvaro-Robles, was criticized by many as "forum shopping." For now the Council is engaged with Russia in a very limited manner because of its lack of experience in dealing with such conflicts. It was thus the general consensus at the conference that the practically nonexistent role of the relevant international organizations is yet another indication that Russia is currently set on finding a military solution to the problem.

### *Oil, Gas, and Pipeline Politics*

The current infatuation with what has been called the "new economy" has led many to ignore the fundamental importance of oil to the world economy. A supposed growing importance of alternative energy sources is a myth. Although not acknowledged as such, strategic interests with regard to oil exploration and recovery play an important and even decisive role in armed conflicts; one only has to look at the various Gulf wars, or at the conflicts in Somalia, Sudan, Nigeria, Angola, or even in the Falkland Islands.

In order to grasp the importance of Chechnya to the Russian Federation, it must be noted that Russia is currently in the process of expending its existing oil reserves at a rapid pace. Chechnya no longer holds the same significance as an oil producer as it did during the Soviet era (particularly subsequent to the destruction of the sole large refinery in Grozny during the first Chechen war). Yet Chechnya's geostrategic location along possible oil transit routes from the Caspian Sea is significant. Despite all the talk about future pipeline construction in the region, for now the only existing - even if not currently functioning - pipeline in the area runs directly through Grozny to the Black Sea. There is a clear regional dimension associated with the pipeline business, which directly affects above all the interests of Russia, Georgia, Azerbaijan, Iran and the NATO member Turkey. There also have been reports of extensive illegal oil trade conducted through Chechnya - nothing impossible considering the experiences with Iraq and Serbia.

It was noted that Russian and American interests in the Caspian Sea are diametrically opposed. In the past several years, the United States has succeeded in keeping the Russian side removed from the various oil deals, which has led to a certain indignation and heightened nervousness from the Russians. Also, Russia has become entirely dependent on Western technology and methods (e.g., for so-called horizontal drilling) to further develop its oil resources. European and U.S. oil companies in particular hold a great advantage because of the Russian dependence on technology. Also there exist Chinese interests in the regional oil. While the vastness of oil reserves in the Caspian remain to be confirmed, Russia clearly does not want to be left out. Russia's future economic growth will depend a lot on its ability to access and develop oil resources, and it is of critical importance that it not become a net oil importer.

The price of oil is fundamental to understanding the importance of oil to the world economy. The

recent rise in oil prices has been of great help to Russia, having apparently served to finance their military campaign in Chechnya. The key question then is how the United States will be able to exercise and defend its interests in the Caucasus region without coming into direct conflict with Russian interests and causing a further deterioration in bilateral relations.

But Russian affairs specialists at the conference repeatedly questioned the relevance of oil to the Chechen war. They argued that Russia did not invade Chechnya for a second time because of its location along oil transport corridors, but to exact revenge for its military embarrassment in the first war and to prevent the permanent secession of a part of the Russian Federation. In their view the war was to serve as a warning to other Russian republics against secession, as well as a signal to Georgia and Azerbaijan that Russia intends to remain a power in the Caucasus.

### Summary and Conclusions

#### *Humanitarian Dimension*

The humanitarian situation is extremely precarious. The limited aid currently available is provided under extremely difficult security conditions and with very little support from the Russian government. The current situation in Chechnya (and in Ingushetia etc.) once again demonstrates that humanitarian aid cannot be put forward as a substitute for the essential and necessary political efforts - a negotiated agreement ought to precede operational humanitarian actions.

The alternate view was expressed that the lack of a significant humanitarian presence in the region is catastrophic, and that immediate action with regard to this fact must be taken. Particularly in light of the apparent Russian resistance to engaging in political dialogue, it is of fundamental importance to strengthen the nonpolitical dimensions of humanitarian work. The dangers of instrumentalization must be acknowledged and avoided with determination.

#### *Human Rights Aspects*

Certain opinions expressed on this subject followed the increasingly popular principle of "no peace without justice," which is built upon the premise that "civil reconciliation" and peaceful cohabitation are impossible unless at least the most serious violations of human rights and humanitarian law are punished. Other participants opposed this view, arguing that such a point of departure was far too unrealistic and referred to the fact that a cohabitation of the Russian and Chechen population is of lesser importance for a political solution to the conflict.

#### *Role of International Organizations*

Many organizations were mentioned as possible candidates to take a more active role in the conflict, namely the OSCE, the UN, the Council of Europe, and the Organization of Islamic Countries (OIC). As for this latest option, the majority of OSCE countries viewed the danger of a further "Islamization" of the Chechen side with suspicion. Furthermore, it remains extremely unclear just how willing the Russian side would be to accept such involvement. The pros and cons of other options (already mentioned above) were weighed, and regret over the seeming

paralysis of the Austrian presidency of the OSCE was expressed. There was a consensus that political pressure from all these organizations as well as individual countries should be placed on the Russian and Chechen sides, and that such pressure could serve as an important incentive stepping stone to achieve a political solution in Chechnya.

### *International Go-Between*

There was also consensus regarding the fact that the current situation offers minimal hopes for a prospective political solution. As the Russian side has been so far unwilling to accept the elected representative of Chechnya as partner in negotiations, a good political alternative might be found in the designation of an intermediary, i.e., a person or entity - equipped with a political apparatus if necessary - to serve as a connection point for the two sides. The Chechen side appeared to be open to this possibility, but emphasized that this person would require international esteem and the respect of both Russians and Chechens. The two hurdles to pass are in getting the Russian side to agree to a go-between, and in sorting out who exactly will represent the Chechen side.

### *The Status Question*

At the heart of the Chechen problems lies the question of Chechnya's future status, which was wisely left open in the Khasavyurt Agreement. The agreement did, however, make clear that this question was to be settled by the end of the year 2001, raising the question of the status of the actual agreement itself. Based upon statements from the Russians, one can assume that they consider the agreement null and void, as the Chechen government that signed the treaty no longer exercises its functions. This is yet another aspect in need of clarification, prior to attempting a political solution, as the Khasavyurt Agreement may still serve as a valid point of departure for meaningful future negotiations.