

Much has been said about a political resolution of the conflict in Chechnya, but hardly anything productive has ever been done to achieve it. As a consequence, thousands of innocent people continue to perish in this senseless war, which is neither in the interests of Chechnya, nor of Russia or of the international community. Clearly, every possible step must be taken immediately to end this catastrophic tragedy.

Recognizing this urgent necessity and moral and political responsibility, the Chechen Foreign Ministry is proposing a fundamentally new way to completely resolve the conflict with full satisfaction of the genuine interests of Chechnya, Russia, and indeed the international community.

For all those who are genuinely committed to peace and democracy in Chechnya, Russia and the South Caucasus, there is simply no good reason to reject this proposal. I therefore very strongly urge Russia and the international community, as well as each and every individual and organization in the world that believe in rights and freedoms of mankind to support this proposal.



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CONTENTS

INTRODUCTION	7
CHAPTER I: THE EVILS OF THE WAR: WHY TO ACT?	9
HUMANITARIAN COSTS	9
THE ENVIRONMENTAL CRISIS	12
SOCIAL COSTS	12
HEAVY BURDEN ON THE SHAKY RUSSIAN ECONOMY	13
ENDANGERING DEMOCRATIZATION IN RUSSIA	14
RADICALIZING CHECHNYA	17
SPILL-OVER EFFECTS	17
CHAPTER II: CHECHNYA IN THE CONTEXT OF INTERNATIONAL TERRORISM: THE NEED TO DIFFERENTIATE	19
CHAPTER III: SECESSION V. AUTONOMY	23
WILLINGNESS TO COEXIST	23
COMMUNITY CHARACTERISTICS	24
THE RULE OF LAW	24
THE CAUSE OF THE CONFLICT	25
HISTORY OF THE CONFLICT	26
THE RESISTANCE	28
CHAPTER IV: RUSSIA'S ARGUMENTS AGAINST CHECHEN SECESSION	29
CHECHNYA IN THE CONTEXT OF RUSSIA'S "NEAR ABROAD"	29
CHECHNYA IN THE POLITICS OF OIL	29
THE DOMINO EFFECT	30
RUSSIA'S SECURITY INTERESTS	34
CHAPTER V: THE WAY OUT - CONDITIONAL INDEPENDENCE A WIN-WIN GAME	37
CHECHNYA'S ASPIRATIONS	37
RUSSIA'S GENUINE SECURITY INTERESTS	38
INTERNATIONAL INTERESTS	39
THE MECHANISM	40
THE ADMINISTERING AUTHORITY AND POLICY PRIORITIES	41
WIN-WIN GAME	43
TO CONCLUDE	44
CONCLUSION	45

INTRODUCTION

In September 1999, disregarding the lessons of the long and brutal history of the Russian-Chechen conflict, Russian forces reinvaded Chechnya. Since then, the last three years of military impasse and the total devastation in Chechnya have proved what had been obvious to many from the very beginning – that there can be no military solution to the Russian-Chechen conflict. A military solution simply does not exist. The conflict is about a political dispute and therefore can only be resolved by a comprehensive political solution⁽¹⁾.

This paper examines some key features of the conflict and proposes a fundamentally new formula that can truly resolve the centuries-old discrepancies between Russia and Chechnya. It argues that the continuation of the war is inadmissible, since the future of Russia and Chechnya, as well as the interests and credibility of the international community, are at stake. Actions, however, must be preceded by a clear vision and purpose. Chechnya can no longer be a part of Russia, but it can and should become a part of the democratic world. The Chechen people should be offered a state of their own, via a transitional period of several years under an international trusteeship system, which would meet Chechnya's legitimate aspiration and enable Chechen society to recover from the catastrophe of the last decade, while simultaneously satisfying Russia's genuine security interests, as well as the interests of the international community, including Georgia. This is the only viable solution to this highly complicated and historically rooted conflict.

The paper proceeds as follows: The first chapter demonstrates that the costs of war are too great to delay any longer a political solution to the conflict, and calls for the involvement of third parties. The second chapter examines Chechnya in the context of international terrorism. It argues that Russia's attempts to bring Chechnya under the umbrella of international terrorism are both unfounded and counterproductive. The third chapter contemplates the option of resolving the conflict by

⁽¹⁾The term "conflict resolution" and its synonyms in this paper should be understood as a permanent solution to the problem, as opposed to mere management or settlement.

accommodating Chechnya within the framework of the Russian state, clearly demonstrating the unfeasibility of any such proposal. Chapter four examines Russia's key arguments against Chechnya's secession and argues that Russia, like Chechnya and any other country, has the right to be concerned with its security interests, just as Chechnya, like Russia, has the right to be free of intolerance and extremism and arbitrary violence. It shows that the challenge is to satisfy Chechnya's legitimate aspirations while simultaneously meeting Russia's genuine security interests. Chapter five shows how the transformation of Chechnya into a truly democratic and peaceful state via a transitional period of several years of international administration would not only successfully meet the challenge, but also satisfy the interests of the international community and truly make the resolution of the conflict a win-win game for all sides. Finally, chapter six calls for immediate and effective action by the international community towards implementing the proposed solution. In particular, it urges the United States, the European Union and its member states

- 1) to reverse their apparent policy of accepting Russia's war in Chechnya conditional on Moscow's willingness to cooperate in other areas, and to assign the Russian-Chechen conflict a top priority in their relations with Russia,
 - 2) to give genuine consideration to the proposal of conditional independence,
- and
- 3) to initiate a three-sided framework at the level of the United Nations to resolve the conflict through implementing the proposal of conditional independence.

CHAPTER I

THE EVILS OF THE WAR: WHY TO ACT?

The evils of the Russian-Chechen conflict during the last eight years alone are so immense that it makes no sense for Russia, Chechnya, and indeed the international community to delay any longer a political solution to the conflict. There is a pressing need to take urgent action, as there is every reason to do so. The opportunity costs of peace (the costs of war) are simply too evil and too dangerous.

Humanitarian costs

To begin with, the human costs and suffering caused by the conflict are inconceivably high. During the previous Russian-Chechen war from 1994 to 1996, 100,000 people, that is 10% of the pre-war Chechen population, are estimated to have died⁽²⁾. Though an exact figure is not available, it is very likely that 250,000 people, mostly Chechen civilians, have perished from war-related causes since 1994. Moreover, the number of wounded, injured and ill, including people suffering from serious diseases, is likely to match the total number of the Chechen population. Without exaggeration, the entire Chechen nation is rapidly becoming a nation of cripples and disabled people.

The figures of Russian casualties are also exceptionally high. According to the Union of Soldiers' Mothers Committee, a Russian human rights NGO created in 1989 to protect the human rights of draftees, soldiers, and their parents, 14,000 Russian soldiers died in the 1994-96 Russian-Chechen war⁽³⁾ and another 14,500 Russian soldiers have died so far in the present war⁽⁴⁾. Though these numbers are terrifying, as the figure is still being revised the real number of Russian casualties may well be much higher.

(2) MSF Article: No end in sight to the war in Chechnya, 04/03/2002.

(3) The union of committees of soldier's mothers is going to make the list of names of the military men who have died in Chechnya, an informative-political channel www.polit.ru, 22/01/2000.

(4) Towards Peace in Chechnya, Presentation by Ivan Rybkin, former Speaker of the Russian State Duma and former Secretary of the Russian Security Council on the Russian military involvement in the present Chechen war. Wednesday, October 23, 2002, the Carnegie Endowment for International Peace.

Human rights basically do not exist in the state of terror and impunity that characterizes today's reality in Chechnya.

Many thousands of Chechens, including children, have been subjected to torture, rape and other outrageous abuses⁽⁵⁾. Nearly every village and town in Chechnya has repeatedly undergone the so-called "mopping-up" operations, during which Russian troops commit looting, beatings, rape, extra-judicial executions, extortion and illegal detention of Chechen civilians. Many of the detainees are later found in unmarked dumping sites, which are regularly discovered all across Chechnya, but even death does not liberate the victims: ransoms are demanded and often paid for corpses⁽⁶⁾. The all-out scale of these atrocities and Russia's consistent refusal to end them and accept an independent investigation reveal their deliberate nature.

The military campaign and the scale of these atrocities have driven at least half of the Chechen population out of their homes (or rather what have left of them after the barbaric bombing and shelling campaigns)⁽⁷⁾. Over 300,000 people are internally displaced in the territory of Ingushetia, Chechnya and Dagestan. Most of them are living in unbearable conditions, often lacking adequate shelter, food, clean water, heating, medical assistance, schooling and other essentials. Moreover, as the Russian authorities continue to push refugees to return to Chechnya, they still have to live with the fear of forced repatriation to a war zone, as was recently denounced at last by the EU Commissioner for Humanitarian Aid, Poul Nielson⁽⁸⁾.

(5) See, for instance, Amnesty International public document - AI Index EUR 46/036/2000, Russian Federation: Continuing torture and rape in Chechnya, 08/06/2000.

(6) Consult: Amnesty International Document AI-index: EUR 46/007/2001, Russian Federation-Chechnya Only an international investigation will end impunity The UN Commission on Human Rights must act now, 29/03/2001.

(7) An unknown number of Chechens are dispersed in other Russian region and perhaps as many as 70,000 Chechens have found shelter abroad, mainly in Georgia, Azerbaijan, Kazakhstan, Turkey and Europe.

(8) Radio Liberty report, 14/11/2002.

"... The numbers of disappeared Chechens in recent months indicate a continuing assault against the Chechen people that borders on genocide"

**International Helsinki Foundation
for Human Rights, 23 July 2002**

"The war, which caused hundred of thousands to flee, has entered a new phase. After intensive bombing and massive destruction, the army, in the "re-conquered" zones, has turned a more vicious form. It has installed a state of terror, perpetrating acts of violence designed to humiliate civilians: arbitrary executions and mopping-up operations, arrests and disappearances, extortion, racketeering of cadavers... The Russian forces have transformed Chechnya into a vast ghetto. In this ghetto, every civilian is a suspect, and freedom of movement is denied. Even the sick and wounded are prevented from passing through military checkpoints. And each and every checkpoint is a "Russian roulette" which puts their lives at stake... These military operations and acts of violence committed against individuals are like a collective punishment, which turns each and every civilian into a suspect and a potential victim. This unrelenting terror is compounded by the highly precarious living conditions of those living in Chechnya and by their massive humanitarian needs, to which nobody is yet responding."

**"The Politics of Terror" A report by
Doctors Without Borders/Médecins Sans
Frontières (MSF) November 22, 2000**

Notably, the persecution of Chechens is not limited to Chechnya but extends to the whole territory of the Russian Federation, particularly Moscow and Russia's southern regions⁽⁹⁾. The Russian police are often given carte blanche to terrorize ethnic Chechens. Arbitrary passport and identity checks, illegal searches of premises, arbitrary detention and ill-treatment, fabrication of criminal cases (notably illegal charges of carrying arms, explosives and drugs), restriction of movement and choice of place of residence, refusal to issue personal documents and forced deportation are commonly practised. Russia's collective discrimination of ethnic Chechens beyond the war territory clearly highlights the collective nature of Russia's persecution of the Chechens.

This humanitarian catastrophe and the scale of Russia's war crimes and crimes against humanity in Chechnya provide the utmost humanitarian, moral and legal reasons to take immediate action to end the war and resolve the conflict. Likewise, the apparent unwillingness of the West to challenge the situation undermines

(9) Amnesty International, AI-index: EUR 46/047/1999, Chechens targeted in Moscow and at home, 22/12/1999.

the credibility of the international community and endangers the post WWII achievements in the rights and freedom of mankind.

The environmental crisis

Beside the great human costs, the war in Chechnya has high environmental costs. Air and artillery bombardment of oil wells, chemical and oil refinery plants, and radioactive sites have caused grave water, soil and air pollution. Oil wells have sometimes burnt out of control for months, often turning the daytime sky black. The black market of crude oil, operated under the protection of the Russian military, also contributes to this problem. The water supply and the sewage systems have been almost completely destroyed. Moreover, reliable reports indicate that the Russian military has used chemical weapons in Chechnya during both the first and the second war. On August 9, 1995, for instance, Agency France Press reported that a group of UN-sponsored humanitarian aid workers had discovered evidence of skin irritations and defoliated trees, which are “consistent with the use of toxic chemicals.”⁽¹⁰⁾ Analogous reports have continued to emerge from Chechnya during the present war. Yellow clouds of inflammable gas are commonly described as following these explosions. Radiation has been discovered in all major Chechen towns, in some places exceeding the admissible level by “more than 800 times”, resulting in serious diseases such as blood and central nervous system disorders⁽¹¹⁾. While further evidence is yet to be gathered and analysed, Chechnya has correctly been called an “environmental wasteland”⁽¹²⁾. There is clearly a pressing need to assess the environmental damage and take effective measures to combat its consequences.

Social costs

The long-term costs of the war include both visible and veiled social costs. The number of Russian troops in Chechnya has varied from 80,000 to over 100,000. The constant rotations of these troops

(10) RFE/RL Report No. 155, Part I, 10/08/1995.

(11) Interfax: Radiation situation serious in Chechnya – health official, 19/11/2002.

(12) Environmentalist Aleksei Yablokov, a former aid to Boris Yeltsin, quoted by Christopher Ingold in Chechnya Conflict and Environmental Implications, ICE Case Studies, Number 93, June 2002.

guarantee that over a million Russian military and police personnel have undergone the evils of the war. With a high degree of demoralization and a lack of rehabilitation centres, there is mounting evidence that post-traumatic stress and changed norms of behaviour are increasingly causing alcoholism, random violence, suicides and high crime rate among Russian participants in the war in Chechnya. The Russian Ministry of the Interior reports that the war veterans of the conflict commit the majority of the most serious crimes in Russia today⁽¹³⁾. On the Chechen side, the entire nation has been traumatized and is doomed to bear the consequences for a long time to come.

Heavy burden on the shaky Russian economy

The direct economic costs of the war are normally estimated at between \$2 and 3 billion a year, roughly equivalent to about half of all federal government spending on health and education⁽¹⁴⁾. Though Russia’s current war in Chechnya has coincided with high oil prices, it is plain that the military campaign is an expensive enterprise, which requires substantial government expenditure, diverting resources from the shaky Russian economy, thus hindering Russian economic reforms and hence democratization.

Moreover, direct economic costs are only part of the story. The scale of destruction in Chechnya, as a result of the indiscriminate and disproportionate use of force, including weapons of mass destruction, defies description. The nearly flattened Chechen capital Grozny, once a town of over 400,000 inhabitants, reflects the damage to Chechnya’s towns and infrastructures and demonstrates that much of Chechnya will have to be rebuilt from scratch. Given the scale of the damage, it is clear that the reconstruction of Chechnya will require billions of dollars.

(13) Towards Peace in Chechnya, Presentation by Ivan Rybkin, former Speaker of the Russian State Duma and former Secretary of the Russian Security Council on the Russian military involvement in the present Chechen war. Wednesday, 23/10/2002, the Carnegie Endowment for International Peace.

(14) Putin’s Agenda, America’s Choice: Russia’s Search for Strategic Stability, Policy Brief #99 - May 2002, by Clifford Caddy and Fiona Hill.

Endangering democratization in Russia

“Elections in Russia have yet to become a mechanism of succession. No election - and that includes lost elections - has resulted in the departure of a government or a President. And never once has a change in the government's political course taken place in accordance with the principle of democratic accountability. Never once has an election - despite being free in terms of the participation of voters and candidates - provided fair terms for all the candidates. Finally, in spite of the large number of elections that have taken place in this country, no reliable institutional guarantees have been created to prevent them being disrupted or their results declared null and void in the event of the ruling group suffering a defeat”.

Vladimir Gelman, Electoral Democracy in Russia, Magazine “Russia on Russia”, Issue 3, October 2000.

More than a decade after the dissolution of the former USSR, the future of Russia is still in doubt. The Russian Federation may no longer be a classical empire, but neither is it yet a true democracy. Russia is still in a transitional stage, and the success of this transition largely depends on resolving the Russian-Chechen conflict. Though the Eurasian school in Russia seems to be losing grounds to the Europeanists, much of Russia's foreign policy is still that of a revisionist state,

particularly in relation to the South Caucasus and Central Asian regions. Since Russia's foreign policy, as that of any other state, is largely a continuation of its internal politics, the war in Chechnya, by augmenting the power of hawks, promoting the war culture and undermining civil and political rights, plays a considerable role in determining the direction that Russia will take. This is most blatant in the attacks on the freedom of speech and of the media. Journalists reporting the war have repeatedly been threatened, and in some cases illegally jailed and tortured. The case of Andrei Babitzky, a correspondent in Moscow for Radio Liberty, who experienced illegal imprisonment and beatings in January/February 2000, highlights the basic fact that no state can afford

the freedom of the press when its troops are committing war crimes and crimes against humanity. These two things are incompatible, and it is necessary to choose between them. As on 31 October 2002 the Russian Duma adopted several highly restrictive provisions to the Law on the Media, which have been denounced by the OSCE Representative on the Freedom of the Media Mr. Freimut Duve, Russia seems to be heading towards censorship⁽¹⁵⁾. As it is self-evident that without freedom of expression there can be no democracy, the restrictions on the freedom of speech and of the media have gloomy implications for democratization in Russia.

What's more, the war in Chechnya radicalizes Russian society and politics by increasing the influence of the Russian security services and the military. Generals who stand accused of war crimes are being promoted to high political offices. General Vladimir Shamanov, for instance, who commanded the massacre of civilians in Alkhan-Yurt in December 1999, has since received the Hero of Russia award and, with the support of the Kremlin, become a governor of Ulianovsk⁽¹⁶⁾. General Viktor Kazantsev, former commander of the United Group of Forces in Chechnya who had ordered the detention of all Chechen men between the age of ten and sixty, has been appointed presidential representative in the Southern federal district⁽¹⁷⁾. General Konstantin Pulikovskiy, former acting commander of Russian forces in Chechnya who on August 19, 1996 issued an ultimatum to civilians to leave Grozny by midnight of August 21 or face an all-out attack, has been appointed presidential representative in the Far Eastern federal district. By promoting “Chechen generals” President Putin is apparently aiming to secure his popularity and hence his authority in the armed forces, but this policy also promotes the influence of hawks and the war culture in the political arena.

The growing neo-nazi skinhead movement phenomenon and other

(15) OSCE media watchdog concerned over increased pressure on media in Russia, OSCE Press Release, 03/11/2002. See also a recent interview with Rudolf Bindig, monitoring reporter of the Parliamentary Assembly on media and press freedom in Russia: Rudolf Bindig: We must urge Moscow to guarantee press freedom, 3 December 2002, www.coe.int.

(16) Human Rights Watch, Open Letter to President Bush: Bush-Putin Summit: Human Rights and U.S.-Russia Relations, 08/06/2001.

(17) Welcome to Hell, Human Rights Watch Report, Arbitrary Detention, Torture, and Extortion in Chechnya, October 2000.

similar examples of xenophobia in Russia can largely be attributed to the mounting popularity of the war culture and scapegoatism originating from the conflict in Chechnya⁽¹⁸⁾. Irresponsible and often openly fascist statements by the Russian political and military elite greatly encourage such dangerous trends in society. The Minister of Defence Sergei Ivanov's public expression of his personal sympathy for Colonel Budanov, who had raped and murdered an 18-year-old Chechen girl, is one of many such examples⁽¹⁹⁾. General Gennady Troshev's call for the public hanging of captured Chechens⁽²⁰⁾ and General Shamanov's call to kill the wives and children of Chechen fighters⁽²¹⁾ are other examples.

Clearly, at present there is a little room for shared values with the West, without which there can be no true partnership. Presently, "imitation of democracy" in Russia is matched by "imitation of integration" with the free world – a dangerous game with an expensive price still to pay⁽²²⁾. Undoubtedly, there is an urgent need to replace imitation on both sides with real democratization and integration. But, integration can only come if Russia undergoes democratization and adopts liberal democratic values.

With this war and its attendant atrocities in Chechnya, there is a little ground for such a development. Behaving as if civilized in relation to the West and remaining barbaric in relation to Chechnya fit poorly together. This has far-reaching implications for peace and stability in Europe. *On the one hand, no truly secure or united Europe can emerge if Russia fails to become a democratic state; on the other hand, the ongoing war in Chechnya severely jeopardizes the democratization of Russia. To end the war and solve the Russian-Chechen conflict would therefore be a major step towards true democracy in Russia and proper integration with the West – an opportunity that must not be missed.*

(18) See a short but interesting article on this subject: New Trends in Federal and National Policies in Russia: From Yeltsin to Putin, Presentation outline, By Emil Pain, Kennan Institute, 2002, www.ceip.org/files/programs/russia/tenyears/presentation/pain.htm.

(19) Moscow minister backs colonel who killed girl, 18, The Telegraph, by Marcus Warren in Moscow, 09/05/2001.

(20) Is Troshev Feeling Stressed? The Moscow Times, Pavel Felgenhauer, 08/06/2001.

(21) Russian general brands his men drunken looters, by Marcus Warren in Moscow, The Telegraph, 20/06/2000.

(22) Between stabilization and a breakthrough: Interim results of Vladimir Putin's presidency, Lilia Shevtsova, Briefing papers, Issue 1, January 2002, Carnegie Moscow Center.

Radicalizing Chechnya

When accompanied by impunity, violence cannot fail to cause further violence. The terrorization and humiliation of civilians and the climate of impunity are increasingly bringing radicalization to Chechnya. The October 23 hostage drama in a Moscow theatre has its roots not in international terrorism, as the Kremlin likes to pretend, but in the years of Russia's abysmal crimes in Chechnya. An act of violence against civilians is clearly both morally and legally a crime, but a failure to recognize and cure the causes of those crimes is a political crime with a far higher price. With no end in sight, continuation of the war risks turning the conflict into a vicious circle of vengeance, hatred and violence independent of the political agenda.

Spill-over effects

The Kremlin's preference for non-existing military solution to the Russian-Chechen conflict is spilling over to Moscow's international disputes in the South Caucasus. So far, this has chiefly been felt in the volatile relations between Russia and Georgia. Accusing Georgia of harbouring Chechen "terrorists" – the Kremlin's official name for all members of the Chechen resistance, including President Maskhadov – Russian military aircraft and helicopters have repeatedly bombed Georgian territory throughout the present war, occasionally resulting in the death of Georgian civilians⁽²³⁾. Recently these tensions have aggravated. On 11 September 2002, changing the usual tactics of denial, President Putin openly threatened Georgia with military intervention⁽²⁴⁾. Though since then Chechen groups have reportedly returned to Chechnya, the latest Russian plans to review the national security doctrine to include the "preventive" use of force against foreign countries, as the Russian Defence Minister announced on 4 November, seem to be specifically aimed against Georgia⁽²⁵⁾. This is a dangerous development that risks igniting a war in the whole of the Caucasus,

(23) See for instance, White House Press Release Russian Bombing of Georgia, Office of the Press Secretary, Washington, DC, 24/08/2002.

(24) Putin Considers Strikes on Georgia, The Moscow Times, Thursday, 12/09/2002, p. 1.

(25) Russia Revises Security Doctrine, Caucasus Tremble, Intercon Daily Report on Russia, 05/11/2002.

where the West has strong strategic interests⁽²⁶⁾.

To conclude, the senseless bloodshed and accompanying costs of war have long outweighed any benefits that Russia might have envisaged in pressing for a non-existent military solution in Chechnya. On the one hand, the appalling brutalities of the Russian forces have eradicated any doubts that Chechens might have had about the inevitability of seceding from Russia. On the other hand, the enormous social, economic and political costs of the war, which among other things bring democratization in Russia to a halt, have largely invalidated any benefits of holding Chechnya. Further, the scale of the humanitarian disaster, the potential spill-over effects of the war and its related challenges to the international community call for an international initiative on Chechnya. All the more so as the evident inability of the Russian leadership to reach a political settlement with the opposing side has clearly shown the need for international involvement in the conflict.

(26) Since the breakdown of the former USSR, Georgia, like Azerbaijan, has become a key state in the major powers' game over the future of the eight Newly Independent States of Central Asia and the Caucasus, thanks to the Karabakh conflict, which makes Georgia for the West a most favourable way to transport the vast gas and oil resources of the region to Europe, thereby lowering the vulnerability of the NIS to Russia's economic blackmail and reducing Western dependence on Persian Gulf oil.

CHAPTER II

CHECHNYA IN THE CONTEXT OF INTERNATIONAL TERRORISM: THE NEED TO DIFFERENTIATE

“One must distinguish between ... terrorism, which is reprehensible in all its forms and wherever it might be, and crises which genuinely call for the search for a political solution. This is clearly the case in Chechnya; we have said this for years”, Dominique de Villepin, the Foreign Minister of France⁽²⁷⁾

It is often said that the monstrous terrorist attacks of September 11 have changed the world. While this may be an exaggeration, the appalling attacks forced the United States to recognize the need to combat global terrorism. The Taliban regime in Afghanistan has since been destroyed, the Al-Qaeda network has been severely damaged, and action has been taken to target terrorists' financial networks around the world. To bolster counter-terrorism capabilities, training and technical assistance have been offered to countries challenged by a threat of terror, while measures have also been taken to isolate and apply pressure on states that sponsor terrorism. These anti-terror actions were surely necessary and have largely been effective, but there is still much to be done. Specifically, there is a vital need to differentiate between terrorism and victims of terror. The struggle against global terror must not become a convenient tool for repressive regimes to justify their oppression of innocent people, which among other things clearly jeopardizes the credibility of the genuine fight against global terrorism. The Policy Working Group on the United Nations and Terrorism, a think-tank established at the request of the Secretary-General in October 2001, rightly emphasized this point in its recent report:

While terrorist acts are usually perpetrated by subnational or transnational groups, terror has also been adopted by rulers at various times as an instrument of control. The rubric of counter-terrorism can be used to justify acts in support of political agendas, such as the consolidation of political power, elimination of political opponents, inhibition of legitimate dissent

(27) Quoted by Reuters in Chechen peace likely victim of Moscow siege, 27/10/2002.

and/or suppression of resistance to military occupation. Labelling opponents or adversaries as terrorists offers a time-tested technique to de-legitimise and demonize them.⁽²⁸⁾

Chechnya is certainly a case where the label of terrorism has been and is still being used both to *justify the military occupation* and to *de-legitimise the resistance*. Though the apparent convenience of the anti-terror paradigm may seem for Moscow irresistibly tempting for its policy in Chechnya, it is in fact counter-productive – *de-legitimising the Chechen resistance achieves neither a victory nor a solution but simply prolongs the war and further increases the polarization of the two confronting sides. Recognizing the incontestable distinction between international terrorism and the Russian-Chechen conflict is therefore a prerequisite to solving the conflict.*

To begin with, the Russian-Chechen conflict and international terrorism have *no common background*. The former has deep historical roots and a definite political cause. It is not a new phenomenon, nor is it global or anti-western. The conflict had existed long before international terrorism came into being, and the Chechens never had any quarrel with the western democratic world and indeed any other country. Their cause of dispute is entirely limited to the Russian-Chechen confrontation.

Moreover, the US military operation in Afghanistan and Russia's invasions of Chechnya are in no way similar. The United States did not go to Afghanistan to oppress separatism and to terrorize the Afghani people. Extra-judicial executions, torture, rape, and concentration camps are not practised in today's Afghanistan, but in Russia's Chechnya.

Secondly, the two have *incompatible agendas*: Attempts to portray the Chechen bid for secession with Bin Laden's terrorism confuse a struggle for statehood – a specific political goal - with a war against the very system of states – an abstract transnational ideological agenda. Clearly, there is an incompatible difference between fighting for a state and fighting against the system of states.

(28) Report of the Policy Working Group on the United Nations and Terrorism, Annex to A/57/273, S/2002/875, <http://www.un.org/terrorism/a57273.htm>.

Thirdly, there is *no comparison between the actors*: Chechnya's resistance is truly a national struggle led by a nation-wide democratically elected President and Parliament, while international terrorism has nether a mandate nor a nation.

Lastly, Chechnya's resistance, unlike international terrorism, is not an offensive war with undifferentiated means but purely *a self-defence deliberately limited to legitimate targets*. While terrorist elements might have infiltrated Chechnya, as they also have infiltrated the United States and Europe, the Chechen government has consistently rejected terrorism in all its forms, and even deliberately refrained from attacking Russia's legitimate military targets outside Chechnya. The recent Moscow hostage taking – an act comparable to global terrorism in means but not in background or agenda – was clearly an autonomous act performed outside the legitimate chain of command⁽²⁹⁾.

Bin Laden on "September 11", in sharp contrast with Chechnya's centuries-long confrontation with Russia's brutal rule, was not resisting a genocidal military occupation, but killing innocent civilians of the country that had enabled the Afghans to defend their freedom against the brutal Soviet occupation decades earlier.

To sum up, the Chechen resistance is not a matter of international terrorism. The two are clearly very different in background, agenda, actors, and means employed. It is true, however, that Russia's policy of collective terror and total lack of accountability is turning Chechnya into a fertile ground for terrorism. The Moscow hostage taking clearly demonstrates Chechnya's extreme desperation and fast-growing radicalization. Undoubtedly, continuation of the war will turn at least a part of Chechnya's armed resistance to irrational and undifferentiated violence of vengeance independent of the political agenda, which neither President Maskhadov nor anyone else would be able to control. Ending the war and solving the conflict are surely the only way to prevent this.

(29) Russia: Maskhadov Says Moscow To Blame For Hostage Crisis, by Valentinas Mite, Prague, 22/10/2002, (RFE/RL).

Actions, however, must be preceded by a clear vision and purpose. Illusions and wishful thinking may occasionally be enjoyable, but they do not help to solve the puzzle. The right place to start is to recognize that a proposal of autonomy within Russia, as the next chapter demonstrates, cannot solve the conflict.

CHAPTER III

SECESSION V. AUTONOMY

In the context of secessionist conflicts and/or de-colonisation - at a time when the international community finds itself more comfortable with the existing political map - one option is to accommodate the secessionist entities within different formulas of the territorial integrity of the metropolitan states. These formulas vary in the degree of autonomy granted to the breakaway territories. The greatest autonomy within a single state is achieved in a federal system, where different levels of government share legislative and administrative authority, with exclusive and joint competences. Though federal systems have been successful in many instances, several major points illustrate that the Russian-Chechen conflict cannot be solved within the framework of a single state.

Willingness to coexist

The success of federal formulas or any other analogous constitutional arrangement largely depends on the willingness of the opposing communities to coexist and eventually rebuild political, economic and social relations within the framework of a single state. However, where conflict has already escalated to full-scale war, the readiness of the rival sides to cohabit is largely eliminated. Thus, the more intense and violent the conflict becomes, the greater is the polarization of the conflicting sides and the fewer are the chances for reconciliation. In the present case, as it has been shown above, the limitless violence and horrendous Russian atrocities have eradicated whatever Chechen willingness there might have been to accept Russia's sovereignty over Chechnya.

" But there was one nation which has not given in to psychology of submission at all, not singles, not rebels, but the entire nation – the Chechens. The authorities, which had already owned this country for thirty years, could not force them to respect their laws".

A. Solzhenizyn "Archipelag GULAG".

Community characteristics

Community integration also depends on the individual characteristics of the communities in question. While there is no celebrated formula to calculate a community's ability to integrate with others, the number of inter-community marriages is arguably the best yardstick. In Chechnya's case, even the long Soviet rule with all its emphasis on class unity has failed to produce any substantial number of such marriages. Chechen society is highly autonomous.

The Rule of Law

“This is democracy without roots, hanging in mid-air, ready to collapse as the leader's popularity rating goes down”, Lilia Shevtsova⁽³⁰⁾

Federal agreements are based on constitution –the highest law of state by definition, but not necessarily by practice. Successful implementation of federal agreements largely depends on the rule of law, which among other things require that governments, like individuals, be subjected to and governed by the law. In the case of Russia, it is a matter of fact that the rule of law is marginalized by the rule of power.

Since Putin's arrival in the office, several major changes have shaken the structure of the Russian state. The President now has the right to dismiss elected governors, whom he has already expelled from the upper house of parliament. Seven federal districts have been created, each headed by authorized presidential representatives, only two of whom are civilians. Several Russian republics have been forced to amend their constitution and there is a continuing push from the Kremlin to revise the Federal Constitution and further increase its authority over the regions. President Putin's obsession with “vertical power” – an idea contrary to federalism, is instructive, as it testifies that agreements in today's Russia are short-lived and depend on the preferences of the ruler, not the Constitution.

The fate of the Russian-Chechen Peace Treaty, which was signed by

(30) Lilia Shevtsova, *Between Stabilization and a Breakthrough: Interim Results of Vladimir Putin's Presidency*, Briefing paper, Vol. 4, Issue 1, January 2002, Moscow Carnegie Foundation.

President Yeltsin and President Maskhadov on 12 May 1997, illustrates this point well. The treaty rejected “forever the use of force or threat of force in resolving all matters of dispute” and declared that both parties would “develop their relations on generally recognized principles and norms of international law”⁽³¹⁾. In September 1999, the very same Russian President that had put his signature under the treaty did not hesitate to launch the second military campaign against Chechnya and declare the same Chechen President illegitimate, albeit Maskhadov's election had been recognized by the OSCE as free and fair⁽³²⁾ and Yeltsin himself had expressed his “full satisfaction”⁽³³⁾.

To come to the point, the problem lies not in a lack of Russia's internal or international commitments, but in the fact that Russia does not honour them. Otherwise, Russia would have been unable to unleash the first or the second war in Chechnya.

The cause of the conflict

To resolve a conflict, it is necessary to resolve its cause. Chechnya's resistance to Russia has always been about a struggle for independence. It was Chechnya's rejection of autonomy within Russia that permitted the 1994 military campaign, and it was Chechnya's continuing bid for sovereignty that enabled Putin to start the second war in 1999. It is certain that many short-term and immediate factors, such as the forthcoming Russian presidential elections, have contributed to escalating the conflict to a full-scale war, but the cause of the conflict itself has always been about Chechnya's determination to break away. Hence, for Chechens, to accept autonomy within Russia – *something that no legitimate Chechen leader has ever done* – would amount to capitulation. Remarkably, Chechnya's history has no such precedent and is unlikely to produce one.

(31) The text of the treaty is available online: www.incore.ulst.ac.uk/cds/agreements/pdf/rus2.pdf.

(32) CNN report, Chechen rebel leader claims presidential victory, 28/01/1997, <http://www.cnn.com/WORLD/9701/28/chechnya/>.

(33) Russia's Choice for Chechnya Proclaims Victory in Elections, by Vanora Bennett, Los Angeles Times, GROZNY, Russia, 29/01/1997, Volume 116, Number 69, p. 2.

History of the conflict

While the modern phase of the conflict began with the dissolution of the USSR, the conflict itself has a long and vicious history and cannot be fully understood without reference to its past.

In a nutshell, since the beginning of Russian colonial systematic southern expansion to the Northern Caucasus at the start of the eighteenth century, the history can be summed up as nearly a constant warfare and repeated massacres. Whenever possible, Chechens fought the Russian expansion with a help of an ally. When this option was absent, they fought alone.

Half a century of constant warfare in the nineteenth century, typified by a Russian policy of “systematic extermination and expulsion” reduced the Chechen population to “barely 50,000 souls”, but even then “every Chechen generation returned to fight”⁽³⁴⁾. The only peaceful period in the Russian-Chechen coexistence was from 1956/7, the beginning of Chechens’ homecoming from the fourth genocidal deportation, till the breakdown of the Soviet Union⁽³⁵⁾. However, even during this period the nation was heavily discriminated and some Chechens continued an armed resistance. Remarkably, only in 1976 did the KGB manage to eliminate Hasuha Magomodov, the last rebel who fought the Russian authorities for half a century.

This three-century long history is filled with atrocities. The Chechen tragedy has its own *Auschwitzs, Oradours, Majdaneks, Nemmersdorfs and Srebrenicas*. In February 1944, when Stalin’s regime launched the genocidal deportation, which killed nearly half of the Chechen population, 700 people were burnt alive in Khaibakh, a mountain Chechen village⁽³⁶⁾. This is not an isolated incident, but one of the numerous lists of horror of the conflict since General Alexei Emrolov wrote to Tsar Alexander in 1818 “he would find no peace until a single

(34) Chechnya: political developments and strategic implications for the North Caucasus, Marie Bennigsen, Central Asian Survey, Volume 18, Number 4, December 1999, pp. 536-537.

(35) For further information on deportations consult: Russia confronts Chechnya: Roots of a separatist conflict, John B. Dunlop, Cambridge University Press, 1998.

(36) Chechnya: political developments and strategic implications for the North Caucasus, Marie Bennigsen, Central Asian Survey, Volume 18, Number 4, December 1999, pp. 537-538.

Chechen remained alive”⁽³⁷⁾. The return of Ermolov’s barbaric policies to Chechnya was clearly demonstrated on 7-8 April 1995 when Russian troops committed a massacre of hundreds of Chechen civilians in Samashki, a village in western Chechnya. In the current Russian military campaign massacres, torture and rape are widespread: the December 1999 mass executions of Chechen civilians in the village of Alkhan-Yurt, the January 2000 summary executions in the Staropromyslovski district of Grozny (including at least 23 women), the February 5 mass murder in the Aldi district of Grozny⁽³⁸⁾, the Chernokozovo and many other concentration camps, the July 2001 mass rape in Sernovodsk⁽³⁹⁾ and numerous other abysmal atrocities. Each of those atrocities has its place in Chechnya’s memory and Chechens rightly view the current phase of the conflict as a direct continuation of the history, which affects their choices and decisions.

In particular, the main lesson that Chechens have learnt is that being a part of Russia makes them vulnerable to arbitrary rule and oppression. As President Maskhadov put it, Chechnya’s goal is “to prevent any state from killing” the Chechens “with impunity and to regard that problem as its internal affair”⁽⁴⁰⁾. Too much has been sacrificed in the struggle for liberty. Since what is lost tends to have greater value than what is left, it is inconceivable that having sacrificed one in five Chechens during the last eight years alone, Chechnya would forsake the cause for which these sacrifices were made. Secession is still the goal against which Chechens measure their losses. The fact that not only the present generation, but also nearly every previous generation since 1707 has made similar sacrifices for the very same goal makes acceptance of autonomy within Russia even more unthinkable. In Chechens’ minds it would be a betrayal of the whole struggle and history, and most important, the memory of the loved ones. Hardly any nation can view this as an option.

(37) Chechnya: political developments and strategic implications for the North Caucasus, Marie Bennigsen, Central Asian Survey, Volume 18, Number 4, December 1999, p. 536.

(38) Details of these atrocities are available on the Human Rights Watch web page: www.hrw.org.

(39) For further information see: CHECHNYA WEEKLY - News and analysis on the crisis in Chechnya, 24/07/2001, Volume II, Issue 28, The Jamestown Foundation. <http://www.jamestown.org/>.

(40) Chechnya: political developments and strategic implications for the North Caucasus, Marie Bennigsen, Central Asian Survey, Volume 18, Number 4, December 1999, p. 553.

The resistance

Moreover, it is beyond imagination that the Chechen resistance would agree to any such proposal. The Chechen resistance may be divided over their choice of means and tactics, but they are all united by the ultimate goal of statehood. The fact that after three years of total war, the Chechen resistance is far from defeated, and that its numbers swell with every new atrocity committed by the Russian troops against the local population, gives the Chechen leadership confidence that eventually they will be able to force Russian troops to withdraw from Chechnya.

For all these reasons, any proposal of autonomy within Russia, however wide, would remain a purely theoretical exercise. The Russian-Chechen conflict should be resolved by giving the Chechen side the prospect of a de jure recognized independent state. This has to be done with due consideration of Russian interests in the region, since such recognition cannot be attained against the will of Moscow - though the question of a de facto Chechen sovereignty may fall beyond Russia's power again, as it has done in the past. The next chapter considers Russia's interests in the light of Russia's arguments against Chechnya's secession.

CHAPTER IV

RUSSIA'S ARGUMENTS AGAINST CHECHEN SECESSION

Since the collapse of the Soviet Union, the Russian political elite has offered a number of successive arguments against Chechnya's secession, but most of them have by now been ruined by changes in Russia's priorities and the evolution of the international situation.

Chechnya in the context of Russia's "near abroad"

In mid-1993, at the time of the first Clinton administration's "Russia first" policy, the Kremlin's policy makers embraced a kind of "Russian Monroe Doctrine" claiming an exclusive hand over the territory of the former Soviet Union. This meant that Russia's ambitions to regain control over the South Caucasus made Chechnya's secession unthinkable for the Kremlin on strategic, geographic and political grounds. Since then, however, the situation has changed radically and Russia's version of the Monroe Doctrine has now been dropped. Though slowly and painfully, Russia is shifting from a zero-sum game approach to a more pragmatic thinking and apparently no longer hopes to block Western engagement in her so called "near abroad". This development significantly decreases Chechnya's value for the Kremlin.

Chechnya in the politics of oil

The September 1994 international deal to spend \$7.4 billions to develop Azerbaijan's oil fields opened the issue of transportation routes of the vast oil and gas reserves of the South Caucasus and the Central Asia region. Since the only existing pipeline from Baku went through Chechnya, and given that Russia was still hoping to prevent a major western presence in the region, regaining control over the breakaway republic became the Kremlin's top priority, resulting in the first Russian military campaign in Chechnya. The campaign ended in disaster, however, and several developments invalidated Chechnya's importance in these calculations, too. The issue of transportation of the energy

resources has largely been settled. On September 18, 2002, after eight years of debates and disputes, construction of the US lobbied Baku-Ceyhan pipeline was officially launched and is expected to be concluded in 2004⁽⁴¹⁾. Perhaps more importantly to Chechnya's case, in April 2000 Russia completed construction of a new oil pipeline bypassing Chechen territory, hence liberating her dependence on the Chechen route.

However, from Russia's point of view Chechnya's secession is still objectionable on two grounds: the fear of a precedent or the so-called domino effect and Russia's security interests.

The domino effect

The domino effect argument has been often used to justify the "unfeasibility" of Chechnya's secession. It is argued that Chechnya's breakaway would cause a chain reaction among other Russian *ethno-national* republics and lead to the eventual disintegration of the Russian Federation. This argument is based on the experience of the breakdown of the Soviet Union, which resulted in the emergence of the fifteen independent states. Advocates of this logic present the war against Chechnya's separatists as a kind of "pre-emptive strike" against the potential collapse of the Russian Federation - that is, forestalling the second act of the crash of the USSR. It is easy to see the implausibility of this reasoning.

Firstly, the USSR's disintegration was caused by factors that have little in common with the Russian Chechen conflict. The collapse of the Soviet Union did not come from tensions between the centre and one of its peripheries but from a failure of the entire Soviet system itself. Not separatism but disappointment with wicked ideology, the state-owned market, the agonizing arms race and expansion ended "the evil empire". Chechnya, on the other hand, is not fighting against Russia's emerging system of statehood, but the legacies of the Russian Empire, which among other things hinder Russia's transition. *However well meant the Russian reforms of the last decade may be in other areas, the current relationship between the Kremlin and Chechnya does not qualitatively differ*

(41) Associated Press, Baku-Ceyhan Pipeline Breaks Ground, 18/09/2002.

much from its analogy in the nineteenth century. Chechnya's secession, in fact, can help Russia to leave its past behind and hence step forward towards a new modern, stable and democratic Russia.

Secondly, no other Russia's ethno-national subject has insisted on total independence and none of them have shown willingness to risk a war with Moscow. The attitude of these republics to the Chechen bid for independence is well summed up below in the extract from a recent book by Aleksei Malashenko and Dmitri Trenin of Moscow's Center of Carnegie Endowment for International Peace.

Unlike the heads of mainly Russian (in an ethnical sense) areas, the leaders of "national" republics took a more critical position in relation to the actions of Moscow. We are primarily talking about the president of Tatarstan, which insists resolutely on a special status, as well as about the heads of Bashkiria, Buryatiya, Kalmykia, Tuva, Chuvashia, and Yakutia. It needs to be taken into account that Chechen separatism did not invoke great sympathy from the absolute majority of the population of the above-mentioned republics. The attitude towards the Chechens in these regions was well compatible with the mood of the population of the Russian Federation in general. Nonetheless, local ethno-national elites considered "the Chechen factor" as an opportune leverage for pressuring the federal Center, on the one hand, to achieve greater autonomy, and on the other hand – to make their loyalty in the Chechen question an exchange coin in a trade-off with Moscow. Especially, none of the critics of Moscow thought to challenge the Center analogous to the Chechens⁽⁴²⁾.

REPUBLICS	TOTAL NUMBER	% INDIGENOUS PEOPLE	%RUSSIANS
Baskhortostan	3943113	28.42% Tatars 21.91% Bashkirs	39.27%
Buryatia	1038252	24.03%	69.94%
Chuvashia	1338023	67.78%	26.69%
Kalmykia	322579	45.36%	37.67%
Tatorstan	3641742	48.48%	43.26%
Tuva	308557	64.31%	32.03%
Yakutia	1094065	33.38%	50.30%

Table 1: Demographic structure (1989 Census)

(42) The text of this passage is a translation of: *The Time of the South: Russia in Chechnya, Chechnya in Russia*, Aleksei Malashenko and Dmitri Trenin, Carnegie Endowment for International Peace, 2002, p. 52. <http://pubs.carnegie.ru/books>.

There are good reasons behind such a “lack of solidarity” of these republics with the Chechen bid to break free. As is evident from Table-1, all of them are demographically ill positioned. Indigenous peoples amount to over 50% of the local population only in Bashkortostan, Chuvashia and Tuva, but even in these republics the demographic situation is balanced with strong communities of ethnic Russians. This demographic balance explains the unattractiveness of secessionist ideas in these republics. Moreover, Bashkortostan, Chuvashia and Tatarstan, the most ambitious ones, are geographically landlocked within Russia. This factor seriously diminishes the secession option for these entities. Perhaps most importantly, in comparison to Chechnya all these republics lack a history of resistance, bitter memories of recent bloodshed, and strong national identities. Taken together these factors virtually eliminate any possibility of the secession scenario in these republics.

Fears also have been raised about the possibility of the domino effect in the Northern Caucasus, mainly in Dagestan, which in the nineteenth and early twentieth centuries has *partially* risen against Russia together with the Chechens, but here the situation is even less risky. While the indigenous peoples in this republic amount to over 80% of its roughly 2 million strong population, they constitute over 30 different ethnic groups, the largest of which (the Avars) comprise less than 30 per cent. Given historical rivalries and grievances among these ethnic groups and weak supra-ethnic identity, any possibility of a solemn move towards secession can largely be excluded. Moreover, the nearly total dependence on the federal budget (some 85% of local expenditure is federally subsidized)⁽⁴³⁾ and strongly Moscow orientated elites constitute powerful chains between the Kremlin and Dagestan that generate strong incentives for this entity to remain part of the Russian state. In addition, it should be taken into account that the historical unity between the Chechens and Dagestani mountain-dwellers was seriously damaged in 1944 when the entire Chechen nation was subjected to Stalin’s genocidal deportation - thirteen years later the returning Chechens found much of their property and part of their land taken by

(43) Small Nations and Great Powers. A study of an ethnopolitical conflict in the Caucasus, Svante E. Cornell, Curzon Caucasus World, 2001, p. 274.

their former allies in arms⁽⁴⁴⁾. This did not fail to have a deep impact on the relations between the two sides, thereby breaking their traditional unity against Russia. Finally, the absolute failure of the Basaev’s controversial Dagestani expedition of August/September 1999 to attract the slightest support in Dagestan demonstrates the resolute unwillingness of Dagestan to break with Moscow. Clearly, the Chechen bid to separate from Russia has not inspired secessionist movements in other North Caucasian republics, and Dagestan here is not an exception to this tendency but a confirmation of it. The feverish desire during the Yeltsin era to take “as much sovereignty” as “could be swallowed” was caused largely not by regions’ eagerness to secede but by the post-Soviet chaos in Moscow. With the recovery of the federal centre from this chaos, the “sovereignty fever” has undoubtedly ended.

Last but not least, the assumption that Russia’s military campaign in Chechnya serves as deterrence for potential desires for breakaway elsewhere in Russia is implausible. The humanitarian horrors of the war and the scale of destruction in Chechnya can hardly be a matter of increased sympathy of regions towards the Kremlin. On the contrary, it is likely to cause fear of random violence, but a threat of violence is a poor foundation if Russia’s aim is to build a democratic federation – a type of state supposed to be based on common values, interests and shared internal sovereignty of its constituent parts. The periphery’s fear of a violent centre, on the other hand, is a basis for a colonial empire – something that Russia is supposed to have left in the past. Russia’s territorial integrity is served not by an internal violence of an arbitrary rule, but by real reforms of local and central state structures, the improvement of social and economic conditions, as well as the elimination of ethnic and religious intolerance. In this sense, it is noteworthy that *what poses a threat to Russia’s territorial integrity beyond the case of Chechnya is not a political resolution of the Russian-Chechen conflict, but - on the contrary - a continuation of the war.*

(44) Small Nations and Great Powers. A study of an ethnopolitical conflict in the Caucasus, Svante E. Cornell, Curzon Caucasus World, 2001, p. 278.

Russia's security interests

Moscow has repeatedly argued that Russia's problem with Chechnya is not in the issue of Chechen secession but in security threats that such secession might pose. In his book of interviews, answering a direct question whether Chechnya's secession was possible in principle, President Putin stated, "it is possible, but the issue is not secession". According to Putin "Chechnya will not stop with its own independence. It will be used as a staging ground for a further attack on Russia". Putin presumes that the purpose of such attacks will be "to grab more territory"⁽⁴⁵⁾. On 18 June 2001 President Putin repeated Russia's security interests in Chechnya at a press conference in the Kremlin. Albeit offering his usual justifications for the Russian military campaign and noting his own preference for a Russian dominated Chechnya, Putin reemphasized that "today the question of Chechnya's dependence on, or independence from, Russia is of absolutely no fundamental importance". Putin argued, "What is of fundamental importance to us is just one issue. We will not allow this territory to be used any longer as a bridgehead for an attack on Russia"⁽⁴⁶⁾.

Russia points to Chechnya's failure to create stability in the 1996-99 inter-war period and Basaev's controversial raid to Dagestan in 1999 as examples of the potential dangers of Chechen secession. It can hardly be ignored, however, that Russia directly and indirectly bears a good portion of responsibility for what it blames on Chechnya. The role of Russian security services in sponsoring criminal groups in Chechnya, the unresolved relations with Moscow that limited President Maskhadov's options, the controversy over Moscow's hand in the 1999 events in Dagestan, the unsolved mystery of the apartment bombings in Russia, including the Ryazan incident where the FSB was caught red-handed placing explosions in a multi-storey civilian apartment building, the Kremlin's wilful refusal to assist Chechnya's postwar recovery, and,

(45) Vladimir Putin, *First Person: An Astonishingly Frank Self-Portrait* by Russia's President Vladimir Putin, with Nataliya Gevorkyan, Natalya Timakova, and Andrei Kolesnikov, translated by Catherine A. Fitzpatrick (London, Hutchinson, 2000), p. 135.

(46) Putin's interview with US journalists, (Chechnya part), Johnson's Russia List #5312, posted on Chechnya short-list 20/06/2001, <http://groups.yahoo.com/group/chechnya-sl/message/16844>. The full transcript of the interview in Russian is available on the official site of the Russian President at the following internet address: <http://president.kremlin.ru/events/242.html>.

above all, the crimes, brutalities and destruction of the first war itself that created a nearly unmanageable situation for the postwar Chechen leadership, can all be pointed out. Moreover, the irrefutable spiralling deterioration of the situation since the start of the second Russian intervention in Chechnya that demonstrates the complete inadequacy of measures supposedly taken to ameliorate the ills of the separated Chechnya, the dubiousness of the supposed Chechen intention "to grab more territory" and many other facts and arguments can be added to this long list of wrong-doings, but the issue in question here, *regardless of the degree of authenticity of Russia's accusations against the separated Chechnya, is that Russia, as any other country including Chechnya, has the right to be concerned with security threats from its neighbours, just as Chechnya, like Russia, has the right to be free of intolerance and extremism and arbitrary violence.*

The unruly lawless situation in Chechnya between the two wars, however understandable its causes, is clearly not what the Chechen people want and need, though even that terrible Hobbesian-state-of-nature-like situation was much better than the wars that preceded and followed this period. *An elected efficient government within a framework of functioning democratic constitution through a clear separation of powers and the system of checks and balances in union with a free market and the rule of law are unquestionably what Chechnya should become.* It cannot be overemphasized that the best future for Chechnya lies in democracy and with the democratic world. It must be understood that the relative Chechen scepticism with the term "democracy" is not connected in any way to what democracy is all about – after all, democracy means the rule of the people⁽⁴⁷⁾, that is exactly what the Chechens have fought for - but to a democracy as experienced by the Chechens in the cheerless state of affairs of today's Russia. Elucidating the distinction between a genuine democratic state and the current Russia will guarantee the widespread support of the Chechen population for the democratization of Chechnya.

(47) It should, perhaps, be noted that in the ancient Greek experience, where the idea of democracy originated, the term "democracy" meant the rule by the poor and numerous (the demos), which was only a section of the population. Nowadays, however, the virtue of democracy is thought to lie in the belief that democracy, in principle, enables the interests of all sections of society to be advanced.

To recap, Chechnya has lost any significant value for Russia in the context of Russia's former openly revisionist policies in the region, as well as in the context of the politics of oil. Moreover, the threat of the so-called domino effect is based on false assumptions and is therefore more an excuse than an objective argument against Chechnya's secession. However, Russia, like Chechnya and any other country, has the right to be free of security threats on its borders. The challenge is therefore to find a way that will guarantee the legitimate interests of both Russia and Chechnya. This can be achieved by satisfying Chechnya's legitimate aspirations while simultaneously meeting Russia's genuine security interests. As the next chapter demonstrates, the conditional recognition of independence via a transitional period of several years under an international administration is the right answer to this challenge.

CHAPTER V

THE WAY OUT - CONDITIONAL INDEPENDENCE - A WIN-WIN GAME

Conditional recognition of a government or a state is the principle of making recognition of the entity in question subject to its fulfilment of previously agreed upon conditions. A proper application of this principle via the mechanism of an international administration can resolve the Russian-Chechen conflict in a positive sum game approach. *The idea is simple: the transformation of Chechnya into a truly democratic and peaceful state via a transitional period of several years of international administration.* This formula may not be a miracle, but it does provide a way to resolve the challenge of satisfying Chechnya's legitimate aspirations while simultaneously meeting Russia's genuine security interests, as well as Georgia's security concerns and indeed the interests of the international community.

Chechnya's aspirations

A state of their own is what Chechens have fought for over the last three centuries. Ironically, this is largely a choice that Chechens have been predestined to make by the development of the system of sovereign states since the Peace of Westphalia in 1648. In other words, the concepts of internal sovereignty and external independence of states are not Chechen-made products but rather something that Chechens are trying to adapt to. While scholars of international relations may have good reasons to continue the inter-paradigm debate disputing the relative merits of Realism, Liberalism, and Marxism, occasionally disturbed by rebel theorists with innovative ideas, the experience of the last three centuries has clearly taught the Chechens that in their case only the achievement of a statehood can provide them with security and enforce their legitimate rights and freedoms. Since the formula proposed above enables Chechens to obtain a de jure recognized state, it fully satisfies Chechnya's legitimate aspirations.

Also, it is worth noting that we should not underestimate the chances of democracy in Chechnya, since the Chechen culture based on deeply rooted values of personal and communal freedom and democratic history can only be accommodated by a democratic system of self-rule. Somewhat remarkably, long before the 13 British colonies in America declared their independence in 1776 and the revolutionary French National Assembly adopted the “Declaration of Rights of Men and Citizens” in 1789, the Chechens lived in a basic decentralized democracy with a represented government limited in authority and in time, where everyone enjoyed equal rights. Ernest Chantre, a nineteenth-century French writer, testified that the Chechens lived “as people unfamiliar with class difference.... They all possess the same rights... The authority with which they invest their tribal chiefs grouped within the framework of an elected council is limited in time and power”⁽⁴⁸⁾. Likewise, a contemporary historian notes that “decisions on the most important issues concerning all members of the commune were based on general consent expressed at the people’s assembly at which all adult males had the right of free voice and vote. In some communes one vote against the decision was enough in principle to revoke it altogether”⁽⁴⁹⁾. While much has since changed and the long and brutal Russian and Soviet rule has inevitably left many negative marks on Chechen society, the traditional Chechen values based on the principle of freedom and political equality are still very much the driving force behind the Chechen bid for secession. Such a background clearly provides valuable potentials for the success of democracy in Chechnya.

Russia’s genuine security interests

The transformation of Chechnya into a genuine democratic and peaceful state with a clearly defined place in the international community also meets Russia’s genuine security interests. Critically, Russia’s security is threatened not by letting Chechnya go, but – on the contrary – by trying to hold on to it at all costs. As granting Chechnya independence would eliminate the cause of the Russian-

(48) Ernest Chantre quoted in *Crying Wolf, the return of war to Chechnya*, Vanora Bennet, Picador 1998, pp. 261-262.

(49) *In Quest For God and Freedom*, Anna Zelkina, New York University Press, 2000, pp. 17-18.

Chechen conflict, Chechnya would have no reason left not to seek friendly relations with Russia. Moreover, with a population of roughly a million people, a democratic and stable Chechnya can never be a challenge to the over 140 million strong Russia. Furthermore, since a Russia with no strong democratic structures is likely to be a severe threat to Chechnya’s well being, the transformation of Russia into a truly democratic and modern state would become a substantial part of Chechnya’s national interests, thus providing a bridge for uniting democratic forces in the two countries. Besides, the geographic proximity and Russia’s political and economic dominance in the region guarantee a continuing Russian influence in Chechnya’s calculations. A responsible Chechen leadership is bound to avoid risky policies and give due consideration to Russia’s interests in the region. In addition, adaptation of certain constitutional and institutional principles can assure the pacifism of an independent Chechnya. Specifically, the decision-making process may be arranged in such a way as to require a wide consensus of political elite, which would help Chechnya to avoid irresponsible policies.

To summarize, an independent Chechnya can be made fully compatible with Russia’s genuine security interests. The formula proposed above, which makes Chechnya’s independence conditional on democratization via a transitional period of several years of an international administration, clearly provides a path to achieve this end. Since incentives determine behaviour, the prospect of *de jure* recognition of Chechnya will be a strong motivation for the country to undergo decisive democratization and demilitarization.

International interests

Democratisation, free market reforms and unhindered trade and cooperation are the main pillars of the international community’s interests in the region. Since the idea of conditional independence provides the international community with influence to shape the future of Chechnya and enables it to end the long and brutal war by performing democratic and market reforms, the formula clearly serves these interests of the international community.

The mechanism

The idea of conditional independence can be implemented through the United Nations Trusteeship system under Chapters XII and XIII of the UN Charter or simply by a resolution of the Security Council. Since this can only be done with Russia's consent, and given that Russia is a permanent member of the Security Council, she will have a substantial say over the terms under which Chechnya will be governed for the period, and in the designation of the administering authority. This could make Russia feel more comfortable with the idea. It is worth noting that such a step by Russia would be the greatest move towards uniting Russia once and for all with the democratic world.

Crucially, the terms of the trusteeship will also have to be acceptable to the Chechen side, since without the Chechen side's voluntary consent no such system can be implemented. The prospect of the recognition of Chechnya, together with help in economic reconstruction and the immediate replacement of Russian troops with an interim international force, is likely to secure Chechnya's assent. Notably, the suggested model to resolve this conflict is close to what is being applied in Kosovo since June 10, 1999, when the UN Security Council adopted resolution 1244. In Kosovo's case, however, the UNSC resolution does not directly advert to the option of statehood, though today the inevitability of such a decision is becoming increasingly apparent. *The real distinction here is that in the case of Chechnya granting de jure statehood on completion of the international trusteeship terms should be explicitly defined as a purpose of the trusteeship system, conditional on Chechnya's transformation into a viable democratic state.* This is indeed the very principle that enables the Russian-Chechen knot to be untied and provides strong incentives for Chechnya to undertake effective reforms. It is noteworthy that the necessity for a conditional independence has now also been recognized in relation to the case of Kosovo. An Independent International Commission on Kosovo, an ad hoc think-tank established on the initiative of the Swedish Prime Minister Persson to analyze the events in Kosovo, both in its main report of October 2000 and in the follow up to the report of September 2001 argued strongly in favour of a conditional independence for Kosovo⁽⁵⁰⁾. The

(50) Both reports are available at the commission's web page: www.kosovocommission.org/.

International Crisis Group, an independent organization dedicated to preventing and resolving deadly conflicts, also came to an identical conclusion in its recent report on Kosovo of March 2002⁽⁵¹⁾. While the cases of Chechnya and Kosovo are in many ways different, notably in the disparity in power of Serbia and Russia and so far also by the absolute asymmetry of the international community's approach to the basically similar violations of international humanitarian law (with an even greater number of these appalling crimes in Chechnya), the cases are alike in the principles that can truly resolve the conflicts.

The Administering authority and policy priorities

An UN-sanctioned international administering authority has to be set up and charged with a speedy and effective implementation of democratization procedures at all levels, with the aim of preparing Chechnya to assume the duties and responsibilities of a legally recognized independent state. Economic reconstruction, demilitarization, structural reforms and the training of civil servants and police, among other things, will have to be given priority. The international community has acquired much experience in this field in East Timor, the Balkans and particularly in Kosovo, which could successfully be applied to Chechnya.

In the initial period of setting up an international administration, the administering authority will have to work with the only existing legitimate government led by the democratically elected President Maskhadov. This is the government that leads the Chechen resistance and therefore represents the real authority in Chechnya. Indeed, the fact that it has been able to organize and lead the resistance for more than three years clearly demonstrates that it enjoys the wide support of the Chechen population. As has been done in Kosovo, a clear framework of exclusive and shared competences of the Chechen government and the international administration should urgently be worked out. Simultaneously, the administering authority should make every effort to create conditions for the free and fair election of a new

(51) A Kosovo Roadmap (I): Addressing Final Status, ICG, Balkans Report No. 124, available online: www.crisisweb.org/projects/balkans/kosovo/reports/A400561_01032002.pdf.

government as soon as practically possible.

Russian troops and all government agencies will have to be withdrawn from the very beginning. Simultaneously, a three-sided deal should be crafted to find a compromise along the lines of an interim international force to be introduced into Chechnya. Gradually, a newly formed and internationally trained Chechen law enforcement body should replace the international interim force. With the issue of Chechnya's final status settled, Chechnya will be motivated to meet its part of the challenge. Crucially, one of the most serious tasks will be to build a truly independent, effective and apolitical judiciary.

With the strengthening of cooperation between the interim international administration and a local government, a sophisticated scheme for demilitarizing the country must be constructed. As arms, apart from their direct function, also have a stored value, the most effective way to collect weapons would be to offer market-price compensations. This will succeed if the flow of weapons from outside is prevented, which will require effective border control. The only non-Russian border Chechnya has is with Georgia. OSCE observers, together with the Georgian border forces, are already monitoring this perimeter. In future, they can and should be joined by internationally trained Chechen border guards.

Chechens, along with the other ethnic groups that resident in Chechnya before the first war, should be offered a choice whether to stay or relocate. Those who desire to relocate to or from Chechnya should be given the necessary economic and legal support for their transportation and resettlement. Likewise, the Chechen ethnic community residing in Russia should also be offered the same options. Given the scale of destruction, one of the first priorities will be to rebuild basic infrastructures and housing and to create job opportunities. Crucially, the international administering authority must accord the utmost priority to creating indigenous capacity in all fields of administration. The success of the international administration will indeed be judged to the extent that the rights and freedoms of the local population are guaranteed, and opportunities generated. Self-evidently, educational and

training programs should be made widely available.

Win-win game

The formula has clear advantages for all parties. The resolution of the conflict will eliminate many of its negative consequences and provide additional benefits to Russia. For example: Russia will be liberated from the constant dilemma of Chechnya. The voluntary relocation of Chechens who choose to do so would mean that Russia would also be freed from a traditionally hostile sector of its population - a problem that Russia has been trying to solve for centuries (the genocidal deportation of Chechens in 1944 is an obvious example). Furthermore, Russia will also be relieved from continuing to waste already limited resources on this unwinnable war. Likewise, Russia will be alleviated from the many political, social and economic obstacles originating from the ongoing war to the democratization and modernization of the country. Equally important may be the fact that Russia will unchain its troops from Chechnya - clearly, keeping the entire war-able part of the country's land forces tied to Chechnya is a highly reckless policy. Instead of barbarizing its forces in the increasingly demoralizing war, it would make more sense for Russia to withdraw its forces and concentrate on the badly needed military reforms. Internationally, Russia also stands to gain greatly. The withdrawal of Russian forces from Chechnya will put an end to international criticism over the grave breaches of humanitarian law - so far a constant embarrassment to President Putin. Moreover, *the invitation of the international community to the solution of the conflict in Chechnya will undoubtedly be a revolutionary shift towards the democratic world, which is bound to produce a very warm acceptance of Russia internationally.* This may indeed become a true end to the historical Russian 'soul seeking' and self-appointed missionaries, hence eliminating any visible or hidden dividing lines between the democratic world and Russia. Clearly, these are significant benefits. Even more so in comparison to what Russia loses - a tiny hostile Chechnya full of headaches. Assuming that the EU and other donor countries could compensate Russia by increasing economic and humanitarian aid, particularly to southern Russian republics, the loss of a constantly embarrassing Chechnya is trivial indeed.

The international community will also be a winner, since by resolving the Russian-Chechen conflict, it will benefit from the increased chance of a future democratic and stable Russia, the importance of which can hardly be overestimated. The enormous resources and commitment that will be required to administer and reconstruct Chechnya may not be too high a price to pay for the stability of Europe. Moreover, using Chechnya's own natural resources can cover a substantial part of this expenditure. While these are substantial benefits, there is even more to gain. Resolving the Russian-Chechen conflict, among other things, will eliminate the so-called Pankisi Gorge problem and therefore reduce the tensions between Georgia and Russia. Moreover, since resolving the conflict substantially facilitates the democratization of Russia, it thereby also helps to normalize Russian relations with its neighbour-states in the Caucasus and Central Asia region. Likewise, as resolving the Russian-Chechen knot may also lead to spill-over effects in solving the remaining conflicts in the Caucasus, the benefits to the international community and Russia's neighbours in the South Caucasus are ever greater.

The benefits to Chechnya are also self-evident. It will obtain what it has always striven for - a state of its own. However, even if independence were to come to Chechnya today, there would not be much to celebrate since the last two wars have had such tremendous human, economic, and social costs. Chechnya alone is unlikely to be able to succeed in addressing the huge and difficult postwar challenges that it would have to face. The trusteeship system will guarantee reconstruction, economic aid, the know-how and other assistance of the international community and by democratizing Chechnya, will help to get rid of those who have hijacked the Chechen cause for their own goals. In short, Chechnya will benefit from all angles.

To conclude

The formula of conditional recognition – *transforming Chechnya into a truly democratic and peaceful state via a transitional period of several years of an international administration* – provides a way to resolve the challenge of satisfying Chechnya's legitimate aspirations while

simultaneously meeting Russia's genuine security interests, and indeed the interests of the international community. This is truly a win-win game for all sides. It is clear, however, that implementing the proposed formula will face many obstacles and requires a paradigm shift in the minds of some of Russia's policy makers as well as a strong political will and commitment on the side of the international community, but it is far from impossible.

CONCLUSION

Given Russia's objections to international involvement in Chechnya, the proposed solution is guaranteed to meet with initial scepticism. There are, however, two points that must be made clear.

First, not all Russian politicians object to international involvement in the conflict. Some Russian politicians and public figures have already openly called for an international peacekeeping force⁽⁵²⁾, and many others are likely to join them when the internationalization of the conflict comes. Moreover, there is a growing awareness among the Russian political elite and experts that a political solution to the conflict is unavoidable. Given the growing anti-war feelings of Russian public opinion, these developments will continue to strengthen.

Second, what really lies behind such scepticism is not so much Russia's objections as the unwillingness of the international community to challenge them. And this is what needs to be altered. Both the United States and the European Union have sufficient means to change the numbers in Kremlin's calculations, and they should use them. No one, of course, is calling for a military confrontation with or the isolation of Russia, but *the international community should reverse its apparent policy making its acceptance of Russia's war in Chechnya conditional on Russia's willingness to cooperate in other areas. The United States, the European Union and its member states should accord the Chechnya issue top priority in their relations with Russia.*

(52) For instance, Yuri Rybakov, an independent member of the Russian parliament's lower house, has recently called for international peacekeepers. See: Russian lawmaker says leaders will be held responsible for role in Chechnya, By Jan M. Olsen, Associated Press, 22/11/2002.

Making Russia's benefits in these relations conditional on Russia's willingness to cooperate on the issue of Chechnya will not fail to produce positive results. All the more so as the formula objectively serves genuine Russian interests no less than it serves the interests of Chechnya and indeed of the international community.

As it is clear that a resolution of the conflict requires an acceptable framework for discussion, debate, compromise and decisions, *a three-sided structure consisting of authorized representatives of Russia, Chechnya and the international community, in the form of the United Nations, is required. To this end, the United Nations Secretary General should be asked to designate his representative to promote a political resolution of the Russian-Chechen conflict.* Such a step by Kofi Annan would help to initiate the three-sided intermediary body and to facilitate and consolidate a peaceful solution to the conflict among national governments.

Essentially, a conflict resolution is best served by a two-track diplomacy – official government diplomacy (track one) and an informal interaction (track two). The two tracks can facilitate one another by initiating attitude changes in public opinion and decision makers.

At track two level of informal interaction between the sides a series of problem solving workshops, forums and conferences should be organized. In particular, think-tanks such as the Center of European Policy Studies, an independent Brussels-based policy research institute, and the International Crisis Group, an independent organization dedicated to preventing and resolving deadly conflicts, could play an instrumental role bringing together experts to work out the details and further recommendations.

International NGOs and human rights watchdogs can help to assemble Russian and Chechen human rights activists, influential people from the respective communities and public figures to discuss the implications of the proposed formula for political, humanitarian, civil, religious and economic needs and rights. Moreover, similar intra-Chechen and intra-Russian forums and conferences would facilitate an understanding of the win-win merits of the formula, influence public opinion, change the attitudes and perceptions of the sides and establish the active role and

support of civil society in implementing the peace initiative.

The Council of Europe, which regrettably has so far failed to ameliorate the situation in Chechnya, can also play a substantial role by giving the proposal due consideration. In particular, a positive assessment of the proposed formula by the Council's Parliamentary Assembly would help to promote the truly win-win solution in Russia and also in its other member states. The Council of Europe could also organize conferences of Russian and Chechen civil society and parliamentary representatives. This will promote both sides' understanding of the merits of the proposal, which - as we have seen - objectively serves genuine Russian interests no less than the interests of Chechnya.

Various activists' groups committed to promoting a peaceful resolution of the conflict, such as the American Committee for Peace in Chechnya and analogous committees in Europe, where many distinguished individuals are working hard to facilitate an end to the bloodshed, can play an important role in advancing public and government awareness of the proposal in the United States of America and Europe, as well as in Russia.

At track one level of official diplomacy, the primary role of national foreign policy establishments is obvious but given the associated constraints, the European Parliament, European and US national assemblies should take the initiative of raising the proposal before their executives, the United Nations, and Russia.

Given the existing active supporters of a peaceful solution of the conflict in every national assembly of European countries, the European Parliament, among other things, could initiate a parliamentary cooperation among the member states and candidate-states of the European Union. Such an initiative could lead to a significant unity of European lawmakers towards the issue.

Moreover, the European Parliament could also initiate a joint working group with the United States Congress, where several influential lawmakers have been strongly concerned with the Russian-Chechen conflict and its implications for the regional peace and democracy in

Russia. This transatlantic bridge could substantially help to promote an end to the senseless bloodshed.

Furthermore, the European Parliament's foreign relations committee and delegation on relations with Russia and analogous committees in national assemblies, could invite Russian and European lawmakers to discuss the implications of the proposed formula for Russia's national interests. Such an initiative could help to initiate a change in the zero-sum perception of the conflict.

To summarize, the US, the EU and its member states should assign the Russian-Chechen conflict a top priority in their relations with Russia, give genuine consideration to the proposal of conditional independence and initiate a three-sided framework at the level of the United Nations to implement the proposal. In this process, governmental and non-governmental, international, national and sub-national actors could all help to advance the proposal.

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