CHECHNIA—THE OSCE EXPERIENCE 1995-2003

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The OSCE Field Operations

Gradually evolving from the embryonic *détente* initiatives of the 1970s, and having braved the Charybdian rocks of the still lingering Cold War of the 1980s, the Organization for Security and Cooperation in Europe (OSCE) finally emerged as a full-fledged international organization with the renaming in 1995 of what had previously been known as The Conference for Security and Co-operation in Europe (CSCE). On its website, the OSCE now boasts of being "the world's largest regional security organization whose 55 participating States span the geographical area from Vancouver to Vladivostok."[1] The objectives of the OSCE are, broadly speaking, concerned with early warning, conflict prevention and post-conflict rehabilitation. Its listing of activities also includes such tasks as anti-trafficking, arms control, border management, combating terrorism, conflict and democratization.

The OSCE's main tools in carrying out these tasks are its *field operations.* Acting under the directions from the OSCE Secretariat in Vienna, and under the general auspices of the organization's Chairman-in-Council, the field operations comprise a number of rather diverse groups—each one with a specific mandate according to the problem(s) to be addressed in their respective operational areas.

At the time of the writing (February 2008), the OSCE maintains 19 field operations in South-Eastern Europe, Eastern Europe, the Caucasus and Central Asia. These are the following:

- OSCE Presence in Albania
- OSCE Mission to Bosnia and Herzegovina
- OSCE Mission to Croatia
- OSCE Mission to Serbia and Montenegro
- OSCE Mission in Kosovo
- OSCE Spillover Monitor Mission to Skopje
- OSCE Office in Minsk
- OSCE Mission to Moldova
- OSCE Project-Coordinator in Ukraine
- OSCE Office in Baku
- OSCE Mission to Georgia
- OSCE Office in Erevan

[1] See [http://www.osce.org/].

- Personal Representative of the Chairman-in-Office on the Conflict Dealt with by the OSCE Minsk Conference
- OSCE Center in Astana
- OSCE Center in Ashghabad
- OSCE Center in Bishkek
- OSCE Project Coordinator in Uzbekistan
- OSCE Center in Dushanbe

Nine OSCE field operations which were previously in business, have subsequently been closed down. These were:

- OSCE Missions of Long Duration in Kosovo, Sandjak and Vojvodina
- OSCE Kosovo Verification Mission
- OSCE Representative to the Joint Committee on the Skrunda Radar Station
- OSCE Mission to Ukraine
- OSCE Mission to Estonia
- OSCE Mission to Latvia
- OSCE Advisory and Monitoring Group in Belarus
- OSCE Center in Tashkent
- OSCE Assistance Group to Chechnia

The last on this list—the OSCE Assistance Group to Chechnia, in which the author of this article served as Head of Mission from January 1999 to January 2000—was in existence from 1995 to 2002. The purpose of the present article is to give an account, including a modest attempt of making an analysis, of the endeavor and the modalities (including the obstacles) which the OSCE involvement in the Chechen issue entailed.

A Small Victorious War

In 1904, the then Russian Interior Minister Viacheslav Plehve called for "a small victorious war to avert the revolution"—a piece of advice that led to the calamities of the Russo-Japanese war and the subsequent uprisings in 1905. Ninety years later, in November 1994, the same phrase was repeated by Oleg Lobov, the Secretary of the Kremlin Security Council, suggesting that a small victorious war in Chechnia would ensure Boris Yeltsin's re-election as President.[2] On 11 December, 1994 Russia started a military campaign in order to "restore constitutional order" in the Chechen Republic, and although Yeltsin eventually did win his reelection, the war was an unmitigated disaster.

For any war—large or small—to be truly "victorious," the victor also needs to win the hearts and minds of the vanquished people. Or, if that is too tall an order, at least win some modicum of legitimacy. These things are usually easier said than done. For three centuries, the Russian (or Soviet) Empire has tried to conquer Chechnia and the Chechens, so far with mixed or limited success. Repeated large-scale attempts by the Imperial Power (General Yermolov from 1818 and for decades onwards, Stalin's wholesale deportation in 1944) at annihilation of their nationhood have left an indelible imprint on the collective memory of the Chechen people. And now again, in less than one decade, the

[2] As quoted in the *Introduction*, p. xii, to C. Gall, Th. de Waal, *Chechnia—A Small Victorious War*, London, 1997.

region has seen two wars which have brought death, misery and immense destruction. In the successive Chechen wars and the still ongoing, low-intensity but sustained guerrilla-type conflict, there are no victors. Peace, stability and "normalcy" seem as elusive as ever.

The Chechen Conflict

The mighty Russian Empire against tiny Chechnia is obviously an uneven match. It is an asymmetrical conflict—not only in terms of relative size/strength/resources, but also in terms of how it is perceived by the parties.[3]

From the Chechen point of view, the conflict was and remains a "struggle against the colonial oppressor," including "fighting for national self-determination, and ultimately defending the Chechen people against the threat of genocide." By implication, the conflict is also seen as an *international* matter, which should be dealt with as such.

From the point of view of the imperial power, the issue—predictably—was defined in rather different terms. Russia has always insisted that Chechnia is an *internal* Russian matter and that the conflict should, consequently, be dealt with as a domestic problem without any outside interference. Thus, during the 1994-1996 war, the official Russian position (which commanded only lukewarm enthusiasm) was declared to be the task of "restoring constitutional order." When military operations were resumed in 1999, the prevailing view of the issue had, however, been re-defined as the apparently more inspiring "defending Russia's territorial integrity and combating terrorism."

With this changed approach—which coincided with Mr. Vladimir Putin's rise to power—the Russian government succeeded in winning over its own domestic public opinion in favor of its hard-line policy. Also, the change in the international mood since "the first Chechen war" (i.e. the 1994-1996 conflict) was striking. The predominantly sympathetic attitude toward the "freedom fighters" had, by the summer of 1999, largely evaporated and been replaced by disgust and suspicion at the "terrorists." The reasons were, broadly, twofold; (a) gross Chechen mismanagement of own affairs, including the ugly specter of hostage-taking and brutal murders; and (b) the largely successful Russian policy in managing information and news (including skilful diplomacy), thereby manipulating public opinion at home and abroad.

If the so-called international community still harbored some misgivings with Russia's handling of Chechnia, such sentiments were conveniently silenced in the aftermath of the 11 September, 2001 terrorist attacks on the United States. Thus, in October 2001, the *International Herald Tribune* could describe the new prevailing mood as follows[4]: "President Putin has made remarkable progress in his campaign to conflate his brutal military campaign in Chechnia with the new U.S.-led war against terrorism. Last week President George W. Bush publicly agreed with Mr. Putin that terrorists with ties to Osama bin Laden are fighting Russian forces in the predominantly Muslim republic, and said they should be 'brought to justice.' Since then the Bush administration has begun taking concrete action in support of Moscow."

The OSCE Involvement: The Assistance Group and its Tasks…

With a situation like the one which had unfolded in Chechnia in the middle 1990s, characterized *inter alia* by the apparent inability of conflicting parties to sort out their differences on their own, it

[3] Cf. the relevant passage in: O.G. Skagestad, "How Can the International Community Contribute to Peace and Stability in and around Chechnia," in: *Chechnia: The International Community and Strategies for Peace and Stability,* ed. by L. Jonson, M. Esenov, The Swedish Institute of International Affairs, Stockholm, 2000, pp. 121-129.

[4] "Chechnia is Different," editorial article in the *International Herald Tribune* (from *The Washington Post*), 5 October, 2001.

does make sense to ask whether and in what way(s) assistance from the outside could contribute toward such ends.

Enter the elusive concept of "the International Community:" In the broadest sense, the international community may be understood to encompass the totality of concerned public opinion as represented by national governments; intergovernmental organizations (IGOs); nongovernmental organizations (NGOs); multinational or transnational commercial companies; mass media; and even influential individuals ostensibly acting on behalf of a general public which is believed to support a given cause. Clearly, we are not speaking of a coherent entity which could be readily operationalized. Narrowing the scope would, however, leave the main focus on IGOs as the most prominent bodies to act on behalf of the international community.[5]

The one intergovernmental organization which has a substantive track record of direct involvement in the matter of promoting peace and stability in Chechnia, is the *Organization for Security and Cooperation in Europe*—the OSCE. The following is an attempt to give a presentation of the scope and character of its involvement (which lasted from 1995 to 2003), as well as an account of the issues and obstacles that had to be addressed, and of the experience that can be drawn from this exercise.

Against the background of the hostilities which started in December 1994, the decision to create an OSCE Assistance Group to Chechnia was made at the 16th meeting of the OSCE Permanent Council on 11 April, 1995. The Council also gave the Assistance Group a mandate to carry out the following tasks (to be performed in conjunction with the Russian federal and local authorities, and in conformity with the legislation of the Russian Federation)[6]:

— promote respect for human rights and fundamental freedoms, and the establishment of facts concerning their violation; help foster the development of democratic institutions and processes, including the restoration of the local organs of authority; assist in the preparation of possible new constitutional agreements and in the holding and monitoring of elections;

— facilitate the delivery into the region by international and nongovernmental organizations of humanitarian aid for victims of the crisis, wherever they may be located;

— provide assistance to the authorities of the Russian Federation and to international organizations in ensuring the speediest possible return of refugees and displaced persons to their homes in the crisis region;

— promote the peaceful resolution of the crisis and the stabilization of the situation in the Chechen Republic in conformity with the principle of the territorial integrity of the Russian Federation and in accordance with OSCE principles;

— pursue dialog and negotiations, as appropriate, through participation in "round tables," with a view to establishing a cease-fire and eliminating sources of tension;

— support the creation of mechanisms guaranteeing the rule of law, public safety and law and order.

The Assistance Group began working in Grozny on 26 April, 1995. Despite the importance and urgency of several of the other tasks included in the Assistance Group's broad mandate (indeed impossibly broad, but conveniently flexible), the most prominent part of its activities during the following year and a half was—given the immediacy of the armed conflict—the Assistance Group's *mediation* efforts. Thus, a comprehensive cease-fire agreement was concluded on 31 July, 1995 under the auspices of the Assistance Group. Although not observed, the agreement remained a precedent for further negotiations, with the Assistance Group playing an active role as mediator. Tireless shuttle

[5] For a more thorough discussion of the prospective relevance of the international community and its agents in the context of the Chechen conflict, see: O.D. Skagestad, op. cit., pp.122-124.

[6] Cf. OSCE, Permanent Council, 16th Plenary Meeting of the Council, Journal No.16, 11 April, 1995, pp. 2-3.

diplomacy by the then Head of the Group, Ambassador Tim Guldimann, paved the way for talks that led to a cease-fire agreement signed on 27 May, 1996 (also soon broken), and was instrumental in getting the negotiation process back on track that led to the Khasaviurt Agreement of 31 August, 1996, which brought an end to the armed conflict. Besides establishing a cease-fire, the Khasaviurt Agreement had a provision for pulling out all troops, and stipulated that "agreement on the principles of mutual relations between the Russian Federation and the Chechen Republic is to be worked out by 31 December, 2001." Also under the terms of the Agreement, Presidential and Parliamentary elections took place on 27 January, 1997—under the auspices of (and actually organized by) the OSCE Assistance Group.[7] The elections, which were monitored by some 200 international observers, were declared free and fair by the OSCE and also recognized by the Russian Federation as legitimate.

...Carried Out in Full

Why would Russia, while stubbornly maintaining that the Chechen conflict was a purely internal affair, allow any measure of intervention by such a conspicuous agent of the "international community" as the OSCE?

With the benefit of hindsight, a plausible proposition would be that in 1995 a "window of opportunity" was created by a combination of several factors, such as:

(1) A discernible sense of lack of direction and coherence by the responsible federal leadership in their political-military strategy toward Chechnia,—finding themselves in a quagmire of their own making and acting under the sometimes erratic and capricious guidance of Mr. Yeltsin. Thus a situation emerged where the Kremlin decision-makers could be more disposed to accept a form of outside involvement that would also relieve themselves of some of the burden of responsibility;

(2) Russia's long-standing inclination to seek a more active role for the OSCE, in line with its general policy of promoting the idea of the OSCE eventually replacing NATO as the paramount all-European security organization. This principled position was no doubt conducive to Russia's willingness to allow the OSCE to assist in sorting out the crisis—Chechnia offering, as it were, a test case of the credibility of Russia's professed enthusiasm for expanding the OSCE's role.

The "window of opportunity" was, however, soon to be closed. By March 1997, the accomplishments of the Assistance Group were substantial, and very evident. At this stage, with the armed conflict having been brought to an end and elections having been held, the general attitude of the parties involved (i.e. the Russian federal as well as the Chechen regional authorities) seemed to have been that the major—and most pressing—tasks of the Assistance Group as envisaged in its mandate had been dealt with successfully and definitively. This view was explicitly laid down in a Statement by the Russian Federation to the OSCE Permanent Council of 13 March, 1997, as follows[8]: "Taking into account the fundamentally new situation that has arisen with regard to the settlement in the Chechen Republic (Russian Federation), the Russian side wishes once again to draw attention to the fact that the part of the OSCE Assistance Group's mandate which is related to mediation efforts in the context of settling the armed conflict and smoothing the way to negotiations has been carried out in full.

[7] For a detailed account and analysis of the Assistance Group's mediation role, see: T. Guldimann, "Supporting the Doves against the Hawks," in: *The OSCE Yearbook 1997*, Institute for Peace Research and Security Policy at the University of Hamburg (Ed.), Baden-Baden, 1998, pp. 135-143.

[8] Statement of the Russian Federation, in: OSCE, Permanent Council, 105th Plenary Meeting of the Council, PC Journal No.105, 13 March, 1997, Annex 3, Agenda item 7(d).

The dialog that has begun between the federal authorities and the new leadership in Chechnia as a subject of the Russian Federation is, as is natural, being conducted directly and excludes any mediation efforts whatsoever by the OSCE representatives.

We presume that the work of the Assistance Group has now been refocused on other aspects of its mandate, namely those that relate to essential areas in OSCE activities: monitoring of the human rights situation; assistance in establishing democratic institutions and in ensuring the return of refugees and displaced persons; and coordination of efforts in providing humanitarian aid.

The Russian side reiterates its willingness to engage in constructive cooperation with the Assistance Group on these issues."

Thus, although the basic text of the Assistance Group's mandate remained unchanged, the tasks contained therein were henceforth effectively and substantially restricted in scope.

For a while during the first half of 1997, the Assistance Group continued to be involved in talks between federal and Chechen representatives aimed at signing a detailed agreement on economic issues and peace relations. Of particular importance in this context were the two Accords—a Treaty on Peace and Principles of Mutual Relations and an Agreement on Economic Cooperation—that were signed in Moscow on 12 May, 1997 by presidents Yeltsin and Maskhadov.[9]

Prolonged negotiations were started in order to provide a settlement on the oil problem for the entire region, including transit through Chechen territory and the debts to the Chechen state-owned oil company, as well as the restoration of Chechnia's oil and chemical complex, and agreements were signed on 12 July and 9 September, 1997. By and large, however, the numerous political and economic agreements proved to be very fragile and failed to make a difference in terms of practical implementation. The Chechen crisis remained unresolved. Talks, as envisaged in the Khasaviurt Agreement, on the political status of Chechnia were resumed on several occasions, but were eventually discontinued as no progress could be made in overcoming the main difference in principle, i.e. Chechnia's insistence on full independence. At the same time, the difficult—and gradually worsening—internal situation in Chechnia made it progressively more difficult to take any substantial steps toward either a political or an economic settlement. In retrospect, it would thus appear that the dialog between federal and Chechen authorities that should have rendered the Assistance Group's mediation role superfluous *("...carried out in full"*), had soon run out of steam.

Tasks Still to Be Accomplished

From mid-1997 the emphasis of the Assistance Group's work had changed visibly from mediation to post-conflict rehabilitation and other points of its mandate. In addition to the Russian Statement of 13 March, 1997, other subsequent developments—notably the Accords signed on 12 May, 1997—would necessarily entail a certain reorientation of the Group's further activities. This was also acknowledged publicly by the then Head of the Assistance Group, Ambassador Rudolf Torning-Petersen, who in an interview with the news agency *Interfax* pointed out that the situation prevailing in Chechnia after the agreements reached between Moscow and Grozny would have an impact on the priorities of the OSCE Assistance Group's activities, adding that the main direction now would be to render humanitarian and

[9] It should be noted that the Peace Treaty, in form as well as in substance, had a text which would normally only be found in agreements between sovereign states in the full international legal sense, as in the following excerpt: *"The High Contracting Parties, desiring to put an end to their centuries-old opposition, and endeavoring to establish sound, equitable and mutually advantageous relations, have agreed as follows: 1. That they renounce for ever the use or the threat of force in the resolution of any disputes between them. 2. That they will build their relations on the basis of generally recognized principles and standards of international law [... etc.]."* The Treaty text, together with the fact that it was signed by the two presidents, for all obvious purposes in their respective capacities as Heads of States, could easily be interpreted as a Russian *de jure* recognition of Chechnia as a sovereign state. That was certainly the view of the Chechen authorities, whereas the Russian side (see below) would subsequently denounce the Treaty altogether.

practical assistance for the peaceful reconstruction of the republic. Despite the substantial scaling-down of the Assistance Group's role, the still operative parts of the mandate left significant tasks yet to be handled. The Russian Statement of 13 March, specifically identified three priority areas, notably:

— monitoring of the human rights situation;

— assistance in establishing democratic institutions and in ensuring the return of refugees and displaced persons; and

— coordination of efforts in providing humanitarian aid.

In addition, there remained the task of supporting the creation of mechanisms guaranteeing the rule of law, public safety and law and order.

Furthermore, a number of problems were and remained particularly crucial in the post-conflict rehabilitation process, including mine-clearing and a solution for ecological problems, especially regarding water and sewage treatment. During 1997-1999 the Assistance Group was involved in numerous activities addressing these and a series of other practical problems connected with the general postconflict rehabilitation needs. Without elaborating on the concrete details, it should merely—and as an understatement—be noted that the Group's mandate remained sufficiently broad and flexible, and obviously related to still existing, real and pressing needs, as to make it unnecessary to invent new tasks in order to justify the Assistance Group's continued existence. Indeed, the pulling-out of other international bodies, leaving the OSCE as the only remaining international organization with a representation in Chechnia, would soon lend yet another important dimension to its continued presence.

At the same time, one cannot but note that developments in Chechnia during 1997-1999 made it progressively more difficult in practical terms for the Assistance Group to perform its tasks.

The Deteriorating Security Environment. Evacuation

Since 1997, the modalities of the Assistance Group's work had increasingly come to be defined by the *security environment*. For years, Chechnia had been a high-risk area, especially for foreigners not protected by the restraints that societal traditions impose on Chechens, including the clan system and the blood vengeance code. In addition to criminal hostage-taking, there was the constant danger of politically-motivated assassinations, such as the murder of six Red Cross expatriate employees at Novye Atagi in December 1996, and the abductions in October 1998 of three British nationals and one New Zealander whose severed heads were found 8 December, 1998. During 1998, the security situation in Chechnia had deteriorated to an extent which made it progressively more difficult for the Assistance Group to perform its tasks in a meaningful way while at the same time observing acceptable standards of safety for its own personnel. Against the backdrop of ever-worsening socioeconomic conditions, crime and unrest acquired endemic proportions. The political unrest was intermingled with militant religious fanaticism, organized crime and a general breakdown of law and order, manifesting itself in ever more frequent outbursts of violence, assassination attempts and other acts of terrorism. In particular, hostage-taking and abductions for ransom money saw a sharp rise and became an all-pervasive evil not only in Chechnia itself but also spilling over into adjoining regions. Hostages were held under miserable conditions, they were widely exploited as slave laborers, and were frequently traded between the criminal groups (including quasi-political organizations and their armed formations) as income-generating commodities. Expatriates, especially those representing organizations believed to be capable of raising huge amounts of ransom money, became prime targets for perpetrators of kidnappings. Hence, virtually all international institutions left the region, terminating their previous activities or, at best, leaving it to their local sub-agencies or partners to carry on. Thus the OSCE Assistance Group—

being the only remaining international body with a representation in Chechnia—had gradually come to be regarded as an increasingly vulnerable and likely target for a possible onslaught by malevolent forces.

Extensive security measures notwithstanding, the Assistance Group was forced four times during 1998 to evacuate its expatriate staff from Grozny to Moscow. The last such evacuation, commencing on 16 December, 1998, was subsequently—by decision of the OSCE Chairman-in-Office[10]—prolonged repeatedly in view of the further deteriorating security situation. In order to ensure the continuity and regularity of the Group's on-the-spot operations, working visits to Grozny by members of the Assistance Group were made three times during January-March 1999.[11] Events in early March 1999 gave evidence of a further grave deterioration of the overall security environment, and later developments only confirmed this unfortunate trend, with the Interior Minister of the Russian Federation in May issuing a general warning to any outsider staying or traveling in the Northern Caucasus, as nobody was in a position to guarantee the safety of anyone against the threat of abduction.

As was announced at the OSCE Permanent Council meeting on 11 March, 1999, the evacuation regime—although still meant to be a temporary measure—was tightened up to exclude any further travels to Chechnia by Assistance Group members. Thus, the Assistance Group henceforth continued to operate from Moscow, where temporary office facilities were established at the premises of the Embassy of Norway. The understanding was that the Assistance Group would return to Grozny when the Chairman-in-Office would be satisfied that positive and significant improvements in the security situation had occurred. Pending such a development, the Assistance Group would be monitoring the political and security situation in Chechnia from its Moscow office, while at the same time directing the practical activities involving the local staff at the Assistance Group's Grozny office, which—for the time being—remained fully operational with a complete infrastructure.[12]

Developments in 1999— Resumption of Armed Conflict

Since early in 1999, the Chechen side repeatedly expressed the desirability of including a third party—preferably the OSCE—in a hopefully resumed negotiation process with the federal authorities. In a number of talks with high-ranking Russian officials, the Assistance Group time and again confirmed its readiness to undertake such involvement—if and when the parties should so desire.[13]

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[10] As Norway held the OSCE Chairmanship in 1999, the Organization's Chairman-in-Office during that year (which also coincided with the period when the author of this article held the assignment as the Head of the Assistance Group) was the then Minister of Foreign Affairs of Norway, Mr. Knut Vollebæk.

[11] These working visits enabled the Head of the Assistance Group to have extensive talks and meetings with the Chechen authorities, including President Aslan Maskhadov and his Press Secretary Mairbek Vachagaev, First Deputy Prime Minister Turpal-Ali Atgeriev, Deputy Prime Ministers Khamzat Shidaev, Kazbek Makhashev, Alkhazur Abdulkarimov, Akhmed Zakaev, Minister of Foreign Affairs Akhyat Idigov, Minister of Shariat State Security Aslambek Arsaev and his Deputy Khasan Khatsiev, Speaker of the Chechen Parliament Ruslan Alikhadzhiev, Deputy Speaker Selam Beshaev, Deputy Attorney General Abu Arsukhaev, the Chief Mufti of Chechnia Akhmat-Hadji Kadyrov (later to be installed by the Russian occupants as "President" of the Chechen Republic, and eventually assassinated on 9 May, 2004), and others. Until July 1999 the post as the Chechen President's General Representative in Moscow was held by Edelbek Ibragimov, who was subsequently replaced by President Maskhadov's former Press Secretary, Mairbek Vachagaev.

[12] For a more extensive account of the Assistance Group's activities during 1999, see: O.G. Skagestad, "Keeping Hope Alive—Experiences of the OSCE Assistance Group to Chechnia," in: The *OSCE Yearbook 1999*, Institute for Peace Research and Security Policy at the University of Hamburg (Ed.), Baden-Baden, 1999, pp. 211-223. For more detailed presentations and analyses, reference is made to the periodic Reports to the OSCE Permanent Council submitted by the Head of the Assistance Group, notably viz. Doc. PC.FR/7/99, OSCE Secretariat (Vienna), 11 March, 1999; Doc. PC.FR/18/99, OSCE Secretariat (Vienna), 24 June, 1999; and Doc. PC.FR/30/99, OSCE Secretariat (Vienna), 21 October, 1999.

[13] These talks took place in the context of the Assistance Group's extensive contacts with Russian federal authorities, including meetings with the Ministry of Foreign Affairs (Deputy Minister Evgeni Gusarov and Department Director Vladimir Chizhov) as well as numerous high-level meetings with other relevant interlocuteurs such as the (then) Minister

The prevailing view in Moscow, however, continued to follow the restrictive line expressed in the Russian Statement of 13 March, 1997, which maintained that the part of the Assistance Group's mandate related to mediation efforts had been carried out in full, and that no further third-party involvement in a resumed Russian-Chechen dialog was envisaged.

Whatever prospects there might have been for a renewed mediation role for the Assistance Group they were effectively dispelled by the events that took place during the second half of 1999: First, the hostilities unleashed by the incursions (from 7 August) into Daghestan of Chechen-trained armed groups led by the notorious warlords and trouble-makers Shamil Basaev and Al-Khattab, thereafter (from 3 September) extensive Russian air-bombings of Chechen territory (from 22 September also including the city of Grozny), and from 30 September the invasion of Chechnia by federal ground forces, setting off an armed campaign, which has yet to be brought to an effective or definitive conclusion.

At the end of 1999 the Assistance Group's functions had been reduced to an absolute minimum. After its "classical" role as a mediator had already been abandoned in 1997, for various reasons also its role in the humanitarian assistance and human rights fields had been scaled down considerably. Because of the renewed armed hostilities in Chechnia, in October 1999 the remaining Assistance Group local staff in Chechnia had to be evacuated to neighboring Ingushetia, and all humanitarian aid projects had to be put on hold. From August 1999 the Assistance Group had also come under increasing criticism from the Russian authorities for its reporting, which included sensitive topics such as human rights violations perpetrated by the Russian side as well as appeals for assistance from Chechen authorities to the international community. Thus, at the end of September Russia protested that the Assistance Group in its reporting was extending its activities beyond its mandate. In response to the attitude of the Russian authorities, who displayed a progressively more restrictive interpretation of the Assistance Group's mandate, the Assistance Group scaled down its coverage of human rights violations in the course of the military campaign in Chechnia and reduced its reporting to a minimum. Nevertheless, the relations with the Russian Federation Ministry of Foreign Affairs continued to cool down, as witnessed *inter alia* by a succession of Moscow newspaper articles—ostensibly using Foreign Ministry sources—with critical coverage of the Assistance Group's activities.

At the same time, the Russian authorities gradually adopted the view that previously entered agreements—the 1996 Khasaviurt Agreement and the Russian-Chechen Peace Treaty of 12 May, 1997—were no longer legally binding, and renounced their recognition of the OSCE-sponsored presidential and parliamentary elections that had been held in January 1997.

In Istanbul on 19 November, 1999, the OSCE ended a two-day summit by calling for a political settlement in Chechnia and adopting a Charter for European Security. Until the Istanbul summit the OSCE—just like most other bodies representing the international community—had been hesitant to openly criticize the Russian Government for its actions in Chechnia. However, in view of the imminent humanitarian disaster resulting from the resumed hostilities, with some 200 thousand refugees spilling over the border into neighboring Ingushetia and enduring appalling conditions, the situation could not be ignored. Although the summit reconfirmed the mandate of the OSCE Assistance Group to Chechnia and paved the way for the subsequent fact-finding visit (mid-December 1999) of the OSCE Chairman-in-Office to the Northern Caucasus, the Russian Government continued to be adamant that no political role was

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of the Interior Sergei Stepashin (later to become Prime Minister), the (then) Minister of Nationalities Ramazan Abdulatipov, the FSB Director and Secretary of the Russian Federation's Security Council Vladimir Putin (later to succeed Stepashin as Prime Minister, and eventually succeeding Boris Yeltsin as President), the Deputy Secretary of the Russian Federation's Security Council Vyacheslav Mikhailov (who preceded as well as succeeded Mr. Abdulatipov in the post of Minister of Nationalities), Duma Members Vladimir Zorin and Mikhail Gutseriev, the Russian Federation's President's Representative to Chechnia Valentin Vlasov, the Russian Federation's Government's Representative to Chechnia Georgi Kurin, former Secretary of the Russian Federation's Security Council and Russian Federation's Chief Negotiator Ivan Rybkin, and others. In addition, the Assistance Group maintained regular contacts with the Republic of Ingushetia's President Ruslan Aushev, who rendered the Group valuable support and protection at the regional level.

envisaged for the OSCE or its Assistance Group in the context of the conflict. Upon his return from the visit, the Chairman-in-Office made a 4-point proposal to facilitate a solution to the conflict:

1. Immediate cease-fire in and around Grozny;
2. The establishment of a dialog between the parties with OSCE participation;
3. A regional conference with the participation of the presidents of Daghestan, Ingushetia and North Ossetia, as well as Russian Federation and Chechen representatives;
4. Escalation of international humanitarian assistance to the region and improved coordination of such assistance.

This initiative was, however, rejected by Russia. In fact, the Istanbul summit decisively confirmed the already widely felt sentiment that any involvement by the OSCE in matters pertaining to Chechnia was thoroughly unwelcome. And with the benefit of hindsight, it may also be noted that the summit confirmed a basic shift in Russian policies toward the OSCE. Thus, according to the then Minister of Foreign Affairs Igor Ivanov, this summit marked a turning point in Russian perception of the OSCE, from an organization that expressed Europe's collective will, to an organization that serves as a Western tool for "forced democratization."[14]

Reestablishment of the Assistance Group as a Field Mission, and its Eventual Termination

The situation prevailing by the end of 1999, seemed to call for a reassessment of the Assistance Group's *raison d'être*. While the Group was supposed to be an OSCE field mission, it was in fact sitting idle in Moscow—more than 1.5 thousand kilometers away from its application area—with no apparent prospect for return. In addition to the practical and logistical obstacles, the scope for fulfilling its various tasks as envisaged in its mandate—yes, indeed for performing any activities in terms of its mandate—was severely curtailed by restrictions laid down by the host country. Questions to be addressed included: What were the prospects for a resumption of a relevant and meaningful role for the Assistance Group? How could the Assistance Group still make a difference? What was its actual or potential usefulness? What was the point in the Assistance Group's continued existence? Why not just call it quits, cut the losses, and turn the attention of the OSCE to more promising challenges?

Personally, the author of this article was never in doubt. When my own assignment as Head of the Assistance Group expired in January 2000, my assessment was that, even under the prevailing most adverse circumstances, the long-term usefulness of the Assistance Group's assignments outweighed the short-term disadvantages, and that the Assistance Group was indeed making a difference. Appreciating the continuous assurances and expressions of support that it had received from numerous quarters, the Assistance Group could not help noting that a common denominator in the way the Assistance Group was viewed was that this tiny symbol of an OSCE presence represented a measure, albeit modest, of *hope* in an otherwise gloomy situation. While the restoration of normal, peaceful conditions in this conflict-ridden and suffering region seemed a more remote prospect than ever, it seemed all the more important that hope be kept alive.

This also seemed to be the attitude of the OSCE Permanent Council and the incoming Austrian as well as subsequent OSCE Chairmanships. Years 2000-2001 saw a series of efforts to have the Assist-

[14] Ref. [http://wikipedia.org/wiki/Organization_for_Security_and_Co-operation_in_Europe#endnote_ivanov].

ance Group reestablished in the application area and to bring about a resumption of its activities in terms of its mandate. Special attention was given to the question of redeploying the Assistance Group back to Chechnia. Suitable premises were found in the Znamenskoe location in northwestern Chechnia, an area which (unlike the remainder of the republic's territory) was assumed to be under firm federal control. However, in order to establish the conditions for a return of the Assistance Group to Chechnia, two basic prerequisites had to be fulfilled.[15] First, the Russian authorities should guarantee security and sufficient protection of the Group and its members. Second, the status of the Assistance group must be clearly defined, especially as to immunity and security, in an agreement similar to those concluded with the governments of other countries where OSCE missions were deployed. The implementation of the reestablishment of the Assistance Group as an operational field mission did however, drag out, apparently due to the reluctance or perhaps inability of the Russian authorities to provide such security arrangements as were seen necessary. However, in a statement to the OSCE Permanent Council on 2 November, 2000, the United States Representative to the OSCE "welcomed the news that the OSCE Secretariat and the Russian government were about to finalize an agreement on the security arrangements." In its statement, which also reflected a certain measure of disappointment and impatience with the Russian government's previous handling of the issue, the United States furthermore noted that: "It is our expectation that once these arrangements are finalized, the way should be open for the prompt return of a continuous OSCE Assistance Group presence on the ground in Chechnia, operating under its 1995 mandate. We welcome the Russian government's apparent willingness to make this goal a reality.

We note Prime Minister Kasyanov's decree instructing Russian government ministries to facilitate the Assistance Group's return, and believe that this should be finalized and the Assistance Group returned to Chechnia now so that we can hear reports from it before our ministers meet.

It is our understanding that the Council of Europe now operates on a continuous basis in Znamenskoe, and we can only assume that the security situation would therefore allow the Assistance Group to do the same.

Like our EU colleagues, we can recall other occasions on which we have been promised the imminent return of the OSCE, sometimes based on promises directly to your Minister and as early as April of this year, only to have those hopes dashed when each of these promises dissolved for one reason or another. It is our hope and expectation that the assurances we are receiving now will not lead to similar disappointments."

Following extensive negotiations with the Russian authorities, a Memorandum of Understanding was eventually signed on 13 June, 2001 with the Ministry of Justice, which undertook to ensure the security of the Assistance Group Office in Znamenskoe. On 15 June, the OSCE Chairman-in-Office reopened the Assistance Group's Office in Znamenskoe and underscored the need for full implementation of the Group's mandate, as approved in April 1995 by the OSCE Permanent Council. After its redeployment, the Assistance Group concentrated on normalizing its presence in Chechnia following an absence of more than two years, with an emphasis on monitoring the human rights situation and facilitating the delivery of humanitarian aid to the victims of the crisis.[16] However, the Assistance Group's mandate, which had originally been adopted in 1995 *ad interim*, was in 2001 changed to be renewed yearly.

As in previous years, during 2002 the Assistance Group remained the only independent field presence of international organizations in Chechnia.[17] The mandate was not extended, however, for 2003 and the Assistance Group ceased to exist at the end of 2002.

In a letter dated 18 January, 2003 to the OSCE Chairman-in-Office, the Russian Minister of Foreign Affairs Mr. I. Ivanov sought to "clarify the circumstances related to the technical closing of

[15] Cf. the *OSCE Annual Report 2000 on OSCE Activities*, pp. 29-31.

[16] For a more substantive account of the tasks performed by the Assistance Group upon its redeployment to Chechnia, see: *Annual Report 2001 on OSCE Activities*, pp. 36-38.

[17] A detailed account of the Assistance Group's activities in 2002 is given in the *Annual Report 2002 on OSCE Activities*, pp. 36-38.

the OSCE Assistance Group in the Chechen Republic." The Russian position was explained as follows: "Our position has been maximum transparent and clear since the beginning: to adjust the tasks of the Group to the situation in Chechnia which has substantially changed since the adoption of its mandate in 1995. Notwithstanding our proposals presented yet in November 2002, which gave to the Assistance Group the perspective to continue its work in 2003, unfortunately, it has not been possible to reach consensus. The outcome has not been a choice of ours.

Considering the existing procedures, since 1 January, 2003 the Group has shifted to the phase of technical termination which will last until 21 March this year. We render full assistance to the OSCE Secretariat and chairmanship to make this process run smoothly.

.....

At the same time, as we pointed out many times, it does not mean that we automatically terminate our cooperation with the OSCE on the Chechen problem."

In his letter, Mr. Ivanov furthermore noted that Russia had forwarded to the OSCE's Bureau on Democratic Institutions and Human Rights (BDIHR) detailed information on preparations for a referendum, to be held on 23 March, 2003, on the Constitution of Chechnia and elections to governing bodies at all levels in the republic. Expressing the hope that the BDIHR would be able to render expert assistance in realizing the monitoring of these activities, the letter concluded that "as experience shows, permanent presence of the OSCE field missions is not essential at all for similar purposes."

The Road Ahead?

With the termination of the existence of the OSCE Assistance Group to Chechnia as one's point of departure, it is easier to look back at the experience resulting from this past exercise than to discern a passable road ahead.

Although not specifically mentioned in the Assistance Group's mandate, a main reason for the continued OSCE presence in Chechnia was the *political* dimension of the mission's work. The OSCE presence was a political message that Chechnia had not been forgotten by the much-maligned "international community." For Chechnia the Assistance Group was important as a channel of contact with the outside world. For the OSCE, the Assistance Group—even during its extended evacuation regime—fulfilled the functions of carrying out independent observations, analyses, assessments and reporting on general political developments as well as on economic developments including conditions of life in the region. Thus, through its Assistance Group, the OSCE maintained a presence which enabled the Organization to monitor these developments on a continuous basis.

At the beginning of this article, we touched upon the broad questions as to whether and how the OSCE as an "agent of the international community" could contribute to the eventual sorting-out of the Chechen conflict, bringing peace and stability to the region. Such questions may be fraught with a certain measure of wishful thinking: Although the OSCE may in fact be *the* international body that is best equipped to address such an issue, its limitations in this respect are obvious: The OSCE is an organization that operates on the basis of the principle of consensus, and hence, it can only be as effective as its member states want it to be. With a major member state being a party to a certain conflict, and insisting that it is a purely internal matter, no progress is feasible.

When looking at the Chechen conflict from today's *post festum* perspective (as far as the now defunct Assistance Group is concerned), it seems less than likely that a situation could arise in the foreseeable future (as it did back in 1995) when Russia might find it to be in its own best interest to avail itself of the good offices of the OSCE to seek a way out of the seemingly never-ending imbroglio.

All along, everybody has professed to agree that the conflict cannot be solved by military means alone: A *political solution* must be found. From the point of view of Russian federal authorities, this

challenge was presumably addressed, met and overcome by the constitutional referendum in 2003 and the subsequent elections which ushered in the Kadyrov regime. However, the assassination on 9 May, 2004 of Akhmat-Hadji Kadyrov himself could only testify to the continuing volatile situation and the continued absence of a political solution with a modicum of legitimacy. Later developments, whether it be the election on 30 August, 2004 of Alu Alkhanov as Kadyrov's successor, or the killing on 8 March, 2005 of the last legitimately elected president Aslan Maskhadov, did not entail any decisive change in the general picture of the conflict. To a certain extent, Moscow has gradually transferred the internal political power to a group of former separatists, which rule the territory on Russia's behalf, but only under partial control of Moscow. Thus, the conflict has largely assumed the character of a civil war—Chechen against Chechen—while at the same time, thousands of federal Russian troops (perpetrating atrocities and suffering casualties) continue to be tied up within the republic's borders. Whether the replacement of Alkhanov on 5 April, 2007 with the late Kadyrov's son, the notorious armed-band leader and "strongman" Ramzan Kadyrov, could be a precursor of fundamentally new developments, remains yet to be seen. So far, his Moscow-backed régime has not been able to shed its reputation for ruthlessness and abuses of human rights, let alone to facilitate the safe return of the hundreds of thousands of exiles.[18] The murder on 7 October, 2006 of the journalist Anna Politkovskaia reminded the outside world of the extreme danger entailed (and the extreme courage that it takes) in reporting on the power abuses and the atrocities perpetrated against the civilian population in Chechnia—a situation which shows no sign of improvement.

Leaving aside the question of the legitimacy of the political structures currently in place, it must still be recognized that to achieve a comprehensive political solution also necessitates huge efforts to be made in several directions. Humanitarian needs must be alleviated, refugees/IDPs (internally displaced persons) must be given a safe return to what is left of their homeland, infrastructure must be rebuilt, and—most difficult of all—the distrust caused by the military campaign with its heavy toll of death and destruction, must be dispelled. The protracted war of attrition, including the serial assassinations of separatist leaders—politicians, "field commanders" and warlords (including out-and-out terrorists) alike[19]—has hardly contributed to a positive development in this respect. It is not realistic to expect any quick and easy solutions.

Although a comprehensive political solution may not be within reach, much can probably still be done to assist in bringing about some improvement in an otherwise miserable situation. If the security situation could be made tolerable, international NGOs with humanitarian or human rights agendas could be encouraged to involve themselves more directly in the region. To assist such NGOs in their beneficial activities was a priority task of the Assistance Group during its last year of existence. It could conceivably continue to be a positive contribution from other branches of the OSCE system. And even without any institutional presence in the region, the OSCE could maintain a readiness to offer its good services if and when such a time occur when opportunities to make a contribution in areas similar to those envisaged in the original mandate of the Assistance Group may be a more realistic proposition than the current situation may offer.

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[18] Indeed, other observers have been noticeably less charitable than the present author in portraying the vicious character of Ramzan Kadyrov and his régime.

[19] In addition to presidents Maskhadov and Akhmat-Hadji Kadyrov, notable examples include their predecessor Zelimkhan Yandarbiev (acting president 1996-1997, killed 13 February, 2004), former vice-president Vakha Arsanov (killed 15 May, 2005) and "field commanders" (warlords) Arbi Baraev (killed 25 June, 2001), Movsar Baraev (killed 26 October, 2002), Salman Raduev (killed 14 December, 2002), Ruslan Gelaev (killed 28 February, 2004) Abdul Khalim Saidullaev (killed 17 June, 2006) and Shamil Basaev (notorious perpetrator of a number of terrorist acts, killed 10 July, 2006).