

Conflict Studies Reseach Centre

Charles Blandy

Chechen Status - Wide Differences Remain

P27

Disclaimer

The views expressed are those of the author and not necessarily those of the UK
Ministry of Defence

TABLE OF CONTENTS

Introduction	4	
Negotiations on Status	5	
The Russo-Chechen Treaty of 12 May 1997		5
Unremitting Chechen Pressure on Moscow	7	
The Maskhadov-Yel'tsin Meeting of 18 August 1997 in Moscow		8
Fourth Round of Russo-Chechen Consultations (28 September 1997)		13
Brief Comparison of Treaty and Draft		
Treaty Documents	15	
Wide Differences		15
Russo-Chechen Draft Treaty (Annex A)		16
The Checheno-Russian Draft Treaty (Annex B)		17
The "Bashlam" Draft Treaty (Annex C)		17
Summary of Present Stage in Negotiating Process		17
Future Hopes		18
Prospect of Third Meeting between Maskhadov and Yel'tsin		18
Need for Presidential Resuscitation in Negotiation Process		19
Other Factors Affecting Russo-Chechen Relationship		21
Prudent Russian Precaution or Precursor of Tightening Blockade?	21	
Chechen Concerns over Blockade and Subsequent Isolation		21
Problems for Chechnya from Enforced Blockade		24
Kidnapping and Holding Hostages to Ransom		29
Delays in Restoration for Chechen Economy	30	
Synopsis of Subsidiary Meetings, Intentions and Agreements		30
Areas Requiring Urgent Remedial Attention	32	
Displaced Persons, Refugees and Forced Migrants' Chechen Unemployment		32
Summary		33
Chechen Moves towards Establishment of External Contacts	34	
The Assistance of Tatarstan		34
The Georgian Connection		35
The Caucasus Common Market		37
Summary		37
"Islamic Republic of Chechnya"	38	
The Announcement		38

Increase in Opposition from Moscow		38
Reaction from World Community	39	
Summary		41
Strains within the Chechen Government	41	
The Problem		41
Teip Power		41
Need for Compromise in Formation of Government in February 1997		43
Speculation about Erosion of President's Power		44
Positive Remedial Action by the President		47
Summary and Conclusions	52	
Annex A - Russo-Chechen Treaty - Draft of Russian Federation Delegation		56
Annex B - Checheno-Russian Federation Treaty - Draft of the Chechen Republic of Ichkeria's Delegation		60
Annex C - The Checheno-Tatarstan Treaty of 21 May 1997	63	
Annex D - Chechen-Russian Peace Treaty of 21 May 1997	65	
Annex E - Khasauyurt Agreement 30/31 August 1997 Joint Declaration		66
Annex F - Khasavyurt Agreement 30/31 August 1997 Principles		67
Annex G - (Draft) Treaty Concerning the Basics of Mutual Relations Between The Russian Federation and the Chechen Republic		68
Annex H - Russian Federation-Tatarstan Treaty - 15 February 1997		72

CHECHEN STATUS: WIDE DIFFERENCES REMAIN

by Charles Blandy

INTRODUCTION

"Deep disagreements lie behind the handshaking and smiles".

Following the theme of two earlier papers, the purpose of this paper is to provide an update on the progress or lack of it regarding the work of the Russo-Chechen Joint Commission on the future relationship and demarcation of powers between Russia and Chechnya. The evolving situation surrounding the status of Chechnya and in the Caucasus as a whole, tells us much about the coordination and state of governance in the Kremlin, whether "the orchestra plays to the conductor's baton" and whether there is any evidence of a single, consolidated policy for the North Caucasus. The paper notes the lack of progress of the various subsidiary agreements, the possibilities of Western economic involvement and examines the evidence as to the possible intention to further isolate Chechnya by imposing a strengthened economic blockade for, "At present the Chechen Republic of Ichkeria remains under blockade, where even shoes, shoes for children, are being described as strategic goods and where even humanitarian goods are not being allowed into the territory of our republic".

At the time of writing it is some 18 months since the Khasavyurt Accords of 30/31 August 1996 were signed by Alexandr Lebed and Aslan Maskhadov. Not only did the Accords bring an official cessation of hostilities between Russian and Chechen but also, "An agreement on the basis of mutual cooperation between the Russian Federation and the Chechen Republic, to be determined in accordance with the universally recognised principles and norms of international law [which] must be achieved by 31 December 2001". Perhaps of equal importance and urgency is the fact that the Russian Presidential elections are only some 35 months away. Whilst conflict has ceased, progress in achieving a settlement on the main issue, the status of the Chechen Republic and its relationship with Moscow and the Russian Federation (RF), appears ever more elusive. Other outstanding questions still remain concerning restoration of the economy, reconstruction of the infrastructure, reparation for war damage and the payment of compensation by the Russian Federation to the homeless and refugees, although there would appear to be some signs of progress on the transportation of early 'Baku oil across Chechnya to Novorossiysk.

NEGOTIATIONS ON STATUS

For ease of reference, translations of the various treaty documents and drafts are contained in annexes as shown below:

Table 1 - Treaty Documents involving Russia, Chechnya and Tatarstan

Annex	Date	Treaty or Treaty (Draft) Document
-------	------	-----------------------------------

Annex A	August 1997	Russian Federation Chechen Treaty (Draft)
---------	-------------	---

Annex B
August 1997
Chechen-Russian Federation Treaty (Draft)

Annex C
21 May 1997
Tatarstan-Chechen Treaty signed in Kazan'

Annex D
12 May 1997
Russo-Chechen Treaty signed in Moscow

Annex E
31 August 1996
Khasavyurt Accords Joint Agreement

Annex F
31 August 1996
Khasavyurt Accords Principles

Annex G
24 July 1996
"Bashlam" Draft Treaty

Annex H
15 February 1994
Russian Federation-Tatarstan Treaty

The main steps in the negotiating process since May between Moscow and Groznyy on the question of their future relationship are shown in Table 2 below.

The Russo-Chechen Treaty of 12 May 1997
Before examining relations between Moscow and Groznyy since May 1997, it is perhaps important to return to the Russo-Chechen Treaty of 12 May 1997. This treaty, "a Treaty on Peace and the Principles of Relationships between the Russian Federation and the Chechen Republic of Ichkeria", established three principles which are repeated in Box 1.

Table 2 - Significant Steps in Negotiating Process between 1 May and 30 September 1997

Date
Significant Step

12 May 1997
1st meeting of President Boris Yel'tsin and President Aslan Maskhadov in Moscow resulting in Russo-Chechen (Fig-leaf) Treaty.

18 August 1997

2nd Meeting of President Boris Yel'tsin and President Aslan Maskhadov in Moscow resulting in agreement to produce comprehensive and wide-ranging treaty between Russian Federation and Chechnya.

26-28 September 1997

Fourth Round of Joint Russo-Chechen Consultations.

Box 1 - Treaty on Peace and Principles of Relationships

between the Russian Federation and the Chechen Republic of Ichkeria. The High Contracting Parties, desiring to end the many-centuries long confrontation and striving for establishing firm, equal rights, mutually beneficial relations, agreed:

1. To refuse for ever the use or the threat of the use of force in solving any issues of dispute.
2. To build their relations in accordance with universally recognised principles and norms of International Law; in this the Parties interact in the spheres defined by specific agreements.
3. The treaty is the basis for the conclusion of further treaties and agreements in the whole complex of relationships.

This treaty was greeted warmly by both the official Russian and Chechen sides. In the words of President Boris Yel'tsin "We have signed a peace treaty which is bound to have historic importance since it puts to an end 400 years of war". President Maskhadov's reaction was no less euphoric:

Box 2 - Extracts from President Maskhadov's Speech on 12 May 1997

"Today we have pulled the rug from under the feet of those people who have been ordering terrorist acts and kidnappings . . . Only when undefined relations exist for far too long, when there is no peace treaty, then conditions emerge which are conducive for opponents of the peace process. Those who order terrorist acts and kidnappings are pursuing only one goal - the failure of the peace process. They want to show the whole world that the Chechen authorities have no control over the situation. By signing this document we have demonstrated to the whole world that the peace process has succeeded.

In general terms amongst the people of Chechnya and Russia the treaty was welcomed. For the Russians it meant that the very worst scenario in modern times which had affected their lives would appear to have abated, enabling normality to return, maybe even permitting the return of soldiers held hostage and establishing what had happened to the missing. For the power-wielding structures concerned with the maintenance of Russian influence in the Transcaucasus and Caspian all efforts could now be turned to securing the pipeline agreement for early' Baku oil to transit the Caucasus to Novorossiysk via Grozny.

Unremitting Chechen Pressure on Moscow

Need for Full Scale Treaty On 28 July 1997 Maskhadov requested the state commission on negotiations with Russia to draft a full scale treaty with the Russian Federation which envisaged "the establishment of diplomatic relations between the two states and the opening of embassies in Moscow and Grozny". At the same time, as a result of certain statements made by the Russian leadership concerning bilateral agreements concluded between the federal centre and another entity of the Russian Federation, President Maskhadov said that Chechnya had

been forced to make this step, as there were fears that the positions won in the Khasavyurt Accords in 1996 were being eroded, for "We are not talking about discarding the agreements signed earlier but work must be started to bring relations between Russia and Chechnya to the standard level of ties enjoyed by sovereign states".

Measures to Strengthen Independence President Maskhadov announced on 6 August 1997 that relations with Russia would be based on an interstate treaty, in which Islam will be the bedrock of the Chechen state. He continued by saying that Chechnya also stands for a consolidated Caucasus and called for the creation of an organisation for security and cooperation in the Caucasus: "The Caucasus should be a free shared house for all peoples living here" and furthermore Chechnya would also adopt "its own passports, vehicle licence plates and Chechen would become the official language of ministries and departments".

Mounting Pressure before Second Maskhadov-Yel'tsin Meeting On 10 August 1997, President Maskhadov stated that he intended to conduct the forthcoming talks with the Kremlin on the basis that "relations with Russia are determined by the peace treaty of 12 May 1997 and built on the norms and principles of International Law". It was his intention to propose to Russia a full-scale interstate treaty providing for the establishment of diplomatic relations and the opening of their respective embassies in Moscow and Groznyy. For the Chechen government in its negotiations with Moscow, the Russo-Chechen Treaty of 12 May 1997 has acquired great significance and in particular the wording in Clause 2 "To build their relations in accordance with universally recognised principles and norms of International Law", because not only does it echo precisely the thrust of the wording contained in the Principles of the Khasavyurt Accords (Annex F) but according to the Chechens it also makes them a subject of International Law and lends support to their view that they have never been a constituent part of the Russian Federation. Although the interview with Chechen Deputy Prime Minister Akhmed Zakayev (Box 3 below) took place some six weeks later and after the Maskhadov-Yel'tsin meeting, it very much exemplifies the Chechen official position and mind set.

Box 3 - Extract from Interview with Akhmed Zakayev on 26 September 1997

"Chechnya has never been part of the Russian Federation"

[Q] . . . Chechnya must officially leave Russia. There is no procedure for this, because what is being set up now is a sort of . . .

[A, interrupting] No, let me disagree with you, because Chechnya has never been part of the Russian Federation. . . . In the space of seven years of talks, not a single delegation has been able to provide grounds for their claims to Chechnya, for the simple reason that there are no documents showing Chechnya ever being part of the Russian Federation.

[Q] Well, it was part of the former Soviet Union.

[A] Part of the former Soviet Union, but when Mikhail Gorbachev began to create a renewed USSR, the USSR Supreme Soviet passed a decision stating that all constituent parts of the Russian Federation and all the autonomous republics could join the new USSR as separate republics. The Republic of Chechnya chose to leave not the Russian Federation, but the Soviet Union and this is the first point to bear in mind.

The Maskhadov-Yel'tsin Meeting of 18 August 1997 in Moscow

The second meeting of the Presidents of Russia and Chechnya took place on 18 August 1997. Although lasting for 90 minutes, it did not take one step toward the granting of independence to Chechnya as the leaders in Groznyy had calculated and anticipated. As many had predicted, including President Ruslan Aushev of Ingushetia, no global treaties were signed, but Aslan Maskhadov handed over a draft Chechen treaty. Both sides restricted themselves to declarations of intent to strengthen their bilateral relations with the future conclusion of

a wide-ranging, all embracing and comprehensive document which identified the coincidental interests of Russia and Chechnya in the spheres of economics and defence. In the words of President Yel'tsin in the near future a joint Russo-Chechen group would be created for the preparation of a treaty between Russia and the Chechen Republic which "will to a certain extent, increase the sovereignty of the Chechen Republic". President Yel'tsin also remarked that in the event of contradictions arising in the course of this work "As with Shaymiyev, we will sit down together and cut this knot" . The Russian President confirmed his readiness to go so far down this road as a result of signing a treaty with Chechnya on "a joint economic space, a joint defence and aviation space". Boris Yel'tsin also emphasised that more than a little attention had been devoted to financial and social questions, where the Presidents found that they were working from different figures. Box 4 below provides a brief insight into the problem.

Box 4 - Discrepancies in Transfer of Funds from Moscow to Groznyy

So in his words, by the end of 1997 a graph must be made of the transfer of funds to the state budget of Chechnya. At the very same time the Russian leader advised that he and his Chechen colleague had different figures on the financial transfers from the Centre to Chechnya: "800 mlrd roubles (\$800,000,000,000 roubles) had been transferred, but in the National Bank of Chechnya there were only 120 mlrd roubles". In the opinion of the [Russian] President this was a result of insufficient control. "This money, the devil knows where it has gone".

Whilst both Presidents were pleased with the way the meeting had gone, particularly with the agreement to set up a joint Russo-Chechen Commission to work on the all-embracing treaty which would set out and govern the future relationship between Russia and Chechnya, questions regarding the fate of the hostage journalists and military personnel still held captive in Chechnya were raised by the Russian President's Press-Secretary, Sergey Yastrzhembskiy. Increasing lawlessness throughout the North Caucasus, the prevalent hostage-kidnapping, the failure to obtain the release of Russian servicemen detained in Chechnya and inability to ascertain the whereabouts of the missing, together with the issue of Chechen independence, now rapidly giving the appearance of an inevitable transition from a de facto to de jure secession, are understandably emotive issues in the Russian State Duma, the Ministry of Internal Affairs and within the Russian military. Opposition to the President granting Chechnya almost total independence is a distinct possibility from two directions, first from the Duma and the power ministries for "the President of Russia on the question of separating territory from this country cannot side step the Duma" and secondly from the shadowy 'Third Force' or the appropriately named 'Party of War'.

It is significant that the meeting lasted for a good 90 minutes. It is significant too, that they both thought that the meeting had gone well. It would not be surprising if President Yel'tsin during the course of their meeting found that despite their diametrically opposed positions, he began to warm to and to appreciate the fact that he was talking with a man of both moral and physical courage, who was modest about himself and his achievements, but who was above all a man of integrity and honesty who had the interests of his people at heart. Perhaps it was indeed a refreshing experience for a Russian President, surrounded by a circle of officials and politicians, imbued with the aspirations of self-aggrandisement and swathed in deep layers of corruption, to meet a straight and honest man. A further observation would be that Yel'tsin, certainly after this latest meeting, probably actually wants to help Maskhadov because if the Chechen problem can be resolved, then the other problems in the North Caucasus facing Moscow assume a lesser urgency.

The Editorial in Nezavisimaya Gazeta on 18 August 1997 following this latest round of talks between Presidents Yel'tsin and Maskhadov, made some telling points about the relationship between Groznyy and Moscow and furthermore stated that this latest Presidential meeting had confirmed the existence of three trends which were detrimental to Moscow's interests.

Box 5 - The Maskhadov-Yel'tsin Meeting confirmed 3 Negative Trends for Moscow

1. The initiative on Chechen-Russian relations is completely in the hands of Groznyy.
2. The Kremlin and - wider - Moscow simply does not know what to do with Chechnya.
3. Chechnya is accelerating the tempo not only for factual but juridical separation from Russia.

Furthermore, it recommended:

"Look not at the flowing encapsulating words of Ivan Rybkin which signify, alas, simply utter feebleness in the face of Chechen pressure, but on the events and facts of the previous week. Groznyy has sharply raised the plank of absolutely all its demands. It continually and openly talks about its own real independence and demands that Moscow only acknowledge the status of Chechnya officially".

The Editorial also made comparisons concerning the effectiveness in approach and negotiation of the two sides. Some of these observations are contained in Table 3 below.

Table 3 - Comparisons of Effectiveness of the Two Sides

Groznyy
Moscow

1. "Groznyy skillfully plays the Georgia card against Moscow. Groznyy exclusively manipulates the fortunes of Russian hostages for its own political objectives. Groznyy - through the lips of Movladi Udugov - gives a full and favourable account of itself concerning the course of preparations for the visit of Maskhadov to Moscow".

2. "Udugov comments, analyses and forecasts developments of Russo-Chechen relations giving public recommendations to Yel'tsin".

1. "The official functionaries and multitude of semi-official experts on Chechnya in Russia, take a mouthful of water as if to prevent them saying anything coarser. . .in Moscow there is no one single line, the Moscow officials dread to say anything definite, they dread their own boss, to whom they say nothing as well, and therefore it is difficult to know what to say".

2. "No one from the Russian official functionaries dares to refute Udugov or argue with him".

Table 3 (Cont.) - Comparisons of Effectiveness of the Two Sides

3. "The Chechens from their point of view are absolutely right and logical: they know, they are not hiding this, they are getting what they want, they do not agree with anyone that opposes their interests".

3. "At the Moscow negotiations Yel'tsin agreed to prepare a Russo-Chechen treaty. References to a "Tatarstan Model" can deceive anyone, but not the Chechens.

He (Yel'tsin) speaks about Chechnya as a possible allied state. Yel'tsin says that in the course of the talks, the strategic interests of Russia and Chechnya lie in the spheres of economics and defence. These are again formulations from the spheres of international relations, but by no means from the lexicon of a federal president speaking with the head of a subject of his federation".

The Editorial concludes: "Therefore the time has come to stop composing treaties under a "Chechen Shaymiyev": Maskhadov is not Shaymiyev, Chechnya is not Tataria, the Caucasus are not the Volga region, but begin to carry out an absolutely honest (in the sense of acknowledging the realities), absolutely firm and cynical policy in the interests of preserving the remaining territories of Russia in the Caucasus, its influence there, and furthermore of an economic and geopolitical dominance of Russia in this region . . . To stretch the elastic until the year 2001 does not work. It is obvious that even before the year 2001 the whole of the Caucasus may be lost" .

Fourth Round of Russo-Chechen Consultations (28 September 1997)

The fourth round of joint Russo-Chechen consultations on preparing an all-embracing bilateral treaty including the other agreements concerning economics and defence finished without any concrete results on 28 September 1997, if one considers that the changes of opinion and statements reflecting the positions of the two sides are not regarded as some sort of result. It was hard to expect any other outcome from the meeting, and it is equally impossible to foretell future developments.

However, one conclusion from an analysis of the situation is clearly evident: no serious breakthrough in the political settlement of relations between Moscow and Grozny is going to occur in the near future through these joint consultation meetings. The participants in the negotiations have occupied totally incompatible positions, and at least in their statements both delegations have made no attempts to search for a compromise. Uncertainty on the question of the status of Chechnya remains. Acquiring a character of monotony and establishing a sensation of hopelessness, the present Russo-Chechen relations are leading to a downgrading in the significance of the Kremlin's one-time decisive steps toward the process of normalisation and settlement. Numerous extreme political forces both in Moscow and Grozny require their respective leaders to take cardinal decisions, forgetting that in the process initiated by the Khasavyurt Accords of 30/31 August 1996, the most radical measures have already been taken: "the war has stopped, federal troops have withdrawn from Chechnya, a peace treaty has been signed".

To expect from recent enemies a complete settlement at the present time is unrealistic. But the complicated situation throughout the whole of the North Caucasus region, the latest political decisions of both Moscow and Grozny, the rigid statements of the sides in addressing each other compel the participants in the process of normalisation to a forced appearance of progress in determining the status of Chechnya. The Kremlin, with all its striving to appear dispassionate and unhurried in attempting to solve this question, has failed to understand that sterile procrastination brings with it the threat of a increasingly deteriorating situation attended only by the shadows of dark and

sombre uncertainty and perhaps even of impending chaos in the North Caucasus. These thoughts and ruminations, of course, are not only being printed in the Russian press, but the separation of Chechnya from Russia, including the different variants of constitutional procedure for holding an all-Russia referendum on the question of Chechen independence are seriously being discussed at high political levels in the Kremlin.

An extreme view, on the other hand, is the statement concerning the inevitability of keeping the republic in the RF. Russian First Deputy Prime Minister Boris Nemtsov believes that Chechnya must remain in the structure and composition of the Russian Federation, but Moscow nevertheless has no intention of being dependent on the caprices of Groznyy. In his opinion "to have Chechnya in its structure is humiliating and insulting", but if Chechnya leaves the structure of the Russian Federation then Nemtsov is convinced that it will return to being an uncontrollable centre of crime: "If the independence of the republic is announced then it is necessary to enclose it by barbed wire, to establish borders, customs and furthermore to expect provocations". But from a more rational Russian viewpoint, even in the event of a decision by Moscow to grant independence to Chechnya, it would not be able to take place easily and quickly; one constitutional act alone would not be sufficient. In this instance, the sovereignty of Chechnya will be achieved by the good offices of Russia, in as much as a state has responsibility before the world community even for its own former territory: "Besides, it is the granting to Chechnya of independence by Moscow which makes the republic a state and not the establishment of diplomatic relations by Groznyy with any foreign country" .

This impasse has forced the Chechens to state that Groznyy is not intending to wait endlessly for Moscow to grant independence. The Chechen leadership is concerned that the longer this process is subject to further procrastination then the greater the possibilities will be for extremist forces on both sides to start another war, for disaffected parties to perpetrate serious criminal acts and stimulate the breakdown of law and order and widespread instability throughout the North Caucasus. So with the aim of achieving a solution more quickly, the Chechens are striving to raise the negotiations to the presidential level, but of course, even the Russian President is still a prisoner of the past, a hostage to elements among the power wielding structures and the State Duma.

Brief Comparison of Treaty and Draft Treaty Documents

Wide Differences

One cannot but note the wide divergence of approach in the drafts prepared by Ivan Rybkin, Secretary of the Security Council of the Russian Federation and by Movladi Udugov, First-Deputy Prime Minister of the Chechen government, whose main responsibilities are the negotiations with the Russian Federation on the future status of Chechnya. The fact of the matter is that, not only are there wide differences in title and preamble, but also in substance. The specific firmness of formulation in the Udugov draft is in distinct contrast with the anodyne abstraction and vagueness of the Rybkin draft.

Whilst it will be remembered that Ivan Rybkin, using a literary turn of phrase, cautioned that it was not possible to solve all the Chechen problems "by a single wave of the sword" including the problems of the inter-relationship between Moscow and Groznyy, he believed that it would lead to a gradual untying of the "knots and wrinkles" . However the Editor in Chief of Nezavisimaya Gazeta was scathing concerning the lack of progress on the "long approach march" to the problem: "Evidently, the main negotiators from the Russian side and those who stand behind them, do not realise that the time for reservations and direct omissions are long past. The real progress for Russia in the negotiations about the future relations with Chechnya consist and depend on the

very existence of Russia as a federal state, not in the demonstration of diplomatic refinements" .

Russo-Chechen Draft Treaty (Annex A)

Taking the Russo-Chechen Draft Treaty "concerning the mutual delegation of authority", it will be seen that the preamble is long and flowery. Article 1 does not get to grips with the problem " . . . The Chechen Republic independently establishes on its own territory full and complete state power with the exception of the powers given over to the jurisdiction of the Russian Federation. . ." (Emphasis added) It makes no mention of "sovereignty". It is almost as if the Russian view point still remains on the lines of: "Yes, we have tried to understand what the Chechen side understands. How do they see the problem?" and the belief that the "word independence which the Chechen leaders keep proclaiming and secession from Russia are entirely different things" .

Another indication of Russian wishful thinking or even naivety emerged during the Fourth Session of the Russo-Chechen Joint Commission, when Ivan Rybkin proposed that a referendum be carried out in Chechnya under the control of international observers on the question of relations with Russia for: "He believed that the absolute majority of people in Chechnya - 80% of the population would wish to live together with Russia. . . If this was not simply thinking out loud, then the realisation of such plans could all the more speedily give the opposite result, ie not less than 80% of the Chechen population would press for state independence" . Separatists' overwhelming victory at the January elections in Chechnya tends to give credence to the fact that 80% would opt for independence from Russia at the moment.

This Russian Draft Treaty approximates to and closely mirrors the concepts contained in the Articles of the Russian Federation-Tatarstan Treaty of 15 February 1994 (Annex H) which was concerned with "the demarcation of areas of responsibility and mutual delegation of powers". Whilst the Russian Draft Treaty does not appear to go far enough to satisfy current' Chechen demands, it is worth noting the present beneficial situation in Tatarstan, achieved some four years after the Russo-Tatarstan Treaty was signed. As a result of the Russo-Chechen conflict the eventual package placed on the table for Chechnya by Russia may well be wider in scope than the one given to Tatarstan in 1994, even so, President Mintimer Shaimiyev of Tatarstan is in no doubt about the benefits for Tatarstan the Russo-Tatarstan Treaty of February 1994.

The Checheno-Russian Draft Treaty (Annex B)

The Checheno-Russian Draft Treaty "concerning friendliness and collaboration" has a succinct preamble and wastes no time before proceeding to Article 1 in which "The Chechen Republic of Ichkeria and the Russian Federation (later the High Contracting Parties) together recognise the sovereign, independent states, subjects of International Law . . ." It is only when turning to the "Bashlam" Draft Treaty that a possible way out of this impasse becomes apparent.

The "Bashlam" Draft Treaty (Annex G)

The Draft Treaty "concerning the fundamentals of mutual relations" in many ways has the potential to provide a face-saving modus vivendi, certainly for the Russians at the moment, in which the positions and aspirations of both sides are fairly reflected in equal measure together with some inevitable ingredients of compromise, as shown in Article 1 of the Draft Treaty.

It would be more than a little simplistic to think that, perhaps, the inclusion of a statement which recognises "Chechen sovereignty and Chechnya being a subject of International Law" in the Russo-Chechen Draft Treaty in Article 1 together with some form of words which implies that in return Chechnya "has

handed over voluntarily part of its sovereign rights to be under the authority of the Russian Federation" might in practice provide a solution. The "Bashlam" proposals have, however, been well-researched, well written and are comprehensive in scope. In many ways its depth, detail and comprehensiveness surpass both the Russian and Chechen draft treaty versions and furthermore provide a suitable form of words.

Summary of Present Stage in Negotiating Process

Whilst at the level of the joint consultations between Russian and Chechen representatives there may appear to be an insuperable deadlock following the fourth round of talks, on the positive side it is necessary to remember that these are still early days in the search for an acceptable settlement. It is also important to acknowledge that a considerable distance has already been covered between the two parties remembering that: "The war has stopped, federal troops have withdrawn from Chechnya, a peace treaty has been signed", furthermore, both sides have agreed "to refuse for ever the use or the threat of the use of force in solving any issues of dispute" and "to build their relations in accordance with universally recognised principles and norms of International Law". These are the tangible results of the process started by the initiative, forcefulness and understanding of the complexities of the Chechen conflict by General Alexandr Lebed working in close concert with Aslan Maskhadov, aided by the good offices of the OSCE representative in Grozny, Tim Guldiman, in signing the Khasavyurt Accords at the end of August 1996. The momentum of the Accords brought about the Chechen general election in early 1997 establishing democracy once again in Chechnya and eventually led to the signing of the Russo-Chechen figleaf' Treaty of 12 May 1997.

Future Hopes

Prospect of Third Meeting between Maskhadov and Yel'tsin

A third meeting between President Yel'tsin and President Maskhadov is planned for early 1998, even though the exact date of President Yel'tsin's visit to Grozny has not yet been released. "The exact date of his trip is known to the President of the RF, but he has no intention of speaking about it". The Head of State of the Russian Federation during the course of his visit to "mutinous" Ichkeria has the intention of studying, working on and developing arrangements for financing and restoring the economy of the republic, "but it is absolutely clear that the political aims of Boris Yel'tsin include, in his own words, the necessity of supporting Aslan Maskhadov in order that gradually their ideas of departing from Russia disappear or are relegated to the background' ". Another small insight which is indicative of the importance and urgency felt by the Russian President for this visit, is the fact that "Ministers and other government department heads, literally prompted by the Russian leadership, are visiting Ichkeria, where the Grozny authorities are already waiting for them", as exemplified by the arrival of the plenipotentiary representatives of the head of state and the Russian government Valentin Vlasov and Georgy Kurin who are occupied in preparations for the visit of the Russian President. Although officially the declared theme of their visit was negotiation with Aslan Maskhadov and Vakha Arsanov on questions relating to the restoration of the Chechen economy and work on Grozny airport to transform it into an international airport, it is clear that preparations for the visit of Boris Yel'tsin are proceeding at full speed.

From the Chechen side, President Yel'tsin's proposed visit is regarded, in the words of President Aslan Maskhadov's press-secretary Kazbek Khadzhiyev, as a positive step enabling and facilitating the agreement of a settlement by means of signing a full wide-ranging and comprehensive inter-state treaty which will envisage the future establishment of diplomatic relations.

What ever the tasks facing both the sides when they meet to discuss the question of Chechen status and settlement, it is difficult to evaluate the significance of Boris Yel'tsin's journey to Chechnya. For him it is a means of demonstrating that he acknowledges the importance of the North Caucasus and understands the acute problems there. Furthermore it could be seen as the start of an attempt to overcome the damage caused by previous neglect, and the lack of firm and consistent policy from the Centre towards the region, illustrated by haphazard decision-making, and contradictory, random action by the federal power wielding structures. For the Chechens who have invited the President, it could actually strengthen their position. Whilst no one in Groznyy has talked about or elaborated on a split in the leadership of the republic, disagreement in the political circles of Ichkeria is difficult to conceal. The Chechen leadership is able to demonstrate openly that not only have they drawn attention to the plight of their nation, but they have also gained perhaps even an ally at the highest political level, with a visit by the Russian Head of State himself, as opposed to even a senior ranking apparatchik from the Centre. This fact will not go unnoticed in a small state accustomed to Russian lack of interest and will carry great weight in Chechen society, although there are those with different views.

The evident boldness of Boris Yel'tsin's decision too, cannot go unremarked, particularly in entrusting his own personal safety and protection to the Chechen special services, in what can hardly be described as a routine visit to a peaceful and calm region. The planned journey to Groznyy will be in direct contrast to his visit as head of state in May 1996, when the President met members of the federal forces and some Chechen veterans, whilst Zelimkhan Yandarbiyev the former interim Chechen leader remained in Moscow in the capacity of a hostage.

Need for Presidential Resuscitation in Negotiation Process

So with the negotiating process stalled at the joint Russo-Chechen consultative level, it is of vital importance that the Yel'tsin-Maskhadov meeting takes place because this is possibly the only means by which the negotiating progress can be reinvigorated. Moreover, an event such as the death or serious indisposition of the Russian President could produce a plethora of uncertainties, miscalculations and contradictory actions by the various power-wielding factions in the Centre, following their own perceptions, independent policies and recipes for the 'normalisation' of Chechnya in the search for peace and calm throughout the North Caucasus. It would also strain and possibly shatter the delicate balances within the Chechen political leadership.

The visit may be cancelled due to other reasons, such as an insistence by the Chechens on preconditions or a further deterioration of the internal situation in Chechnya, or Shamil' Basayev being invited to form a new Chechen government and the possibility of his meeting the Russian President. This could cause Presidential advisers in the Kremlin not only to feel uneasy about the Russian President's safety but also concerning the wisdom of the Russian President meeting a murderer with the adverse publicity which would follow from such a meeting. A meeting between both Presidents is vital if progress is going to be made. Cancellation of President Yel'tsin's visit to Groznyy would require an urgent consideration of other venues in the North Caucasus or alternatively the requirement for "a meeting with the Chechen delegation in Moscow without preconditions or ultimatums with a full guarantee of the Chechen delegation's safety". It is doubtful whether a visit by Victor Chernomyrdin, the Russian Premier would carry sufficient weight, particularly when much of what was signed at the earlier meeting between himself and President Maskhadov in June 1997 has still to be implemented by the Russian side.

Both President Yel'tsin and President Maskhadov have acknowledged their responsibilities and have recognised the fact that only they, and they alone can

bring about normalisation and a settlement of the questions concerning the future status of Chechnya and the relationship between Moscow and Groznyy, between the Russian Federation and the Chechen Republic of Ichkeria. In an interview with Igor' Rotar', Movladi Udugov even went so far as to speculate whether President Yel'tsin:

"can remember the courageous step of General de Gaulle who went to Algeria and left it an independent sovereign state. That situation for France and Algeria then was considerably more complicated than for Russia and Chechnya" .

OTHER FACTORS AFFECTING
RUSSO-CHECHEN RELATIONSHIP

There are other factors which are not entirely within the confines of Chechnya's status vis ... vis the Russian Federation, but which have some direct pertinence to the future Russo-Chechen relationship or which might have some indirect influence or leverage on the decision making by the two sides within the present uneasy, undefined and untidy relationship.

Box 6 - Other Factors Pertinent to the Russo-Chechen Relationship

1. Blockade and Subsequent Isolation. Russian activity around Chechen border giving rise to Chechen perceptions of Russian intentions to tighten de facto blockade.
2. Restoration of Chechnya. Lack of effective implementation of Russian financial support for restoration, reparation, compensation, easing plight of refugees, payment of pensions and work on other subsidiary agreements.
3. Chechen Search for External Support. Chechen moves to establish external contacts with Georgia, Azerbaijan, establishment of Caucasus Common Market, Turkey, USA and United Kingdom.
4. Declaration of Islamic Republic of Chechnya. Implementation of Sharia Law and death penalty, execution by firing squad and contact with pariah' states.
5. Possibility of Disunity in Chechen Government. Speculation over: weakening of President Aslan Maskhadov's position internally in Chechnya, continued influence of teips versus professionalism, lawlessness and uncontrollability of Chechen field commanders.

Prudent Russian Precaution or Precursor of Tightening Blockade?

Chechen Concerns over Blockade and Subsequent Isolation

In contrast to the outward, recently perceived, positive attitude of the Russian President toward Chechnya, it would appear that some factions within the Kremlin are taking measures which could well be described as ones of prudent precaution, or could at the same time signify something more sinister, such as the imposition of an 'unleakable' blockade to starve Chechnya into a line which conforms to being a subject of the Constitution of the Russian Federation. However, the Chechen leaders have already warned about the dangerous consequences of such a policy, as exemplified by Aslan Maskhadov's statement whilst on a short break in Turkey during November, "If Russia with the help of intrigue attempts to prevent our independence, we are ready once again to join battle". In reality, the Chechen perception of impending isolation from the world community and blockade by Russia is already beginning to acquire foundation.

Box 7 - Indications of Russian Blockade

1. All lines of communication and transportation traversing Chechnya are being redirected.
2. Trains from Daghestan to Moscow now bypass the republic SWBs SU/2983 B/6 [17] of 29 July 97..
3. Road traffic bypasses the republic on the Rostov-Baku highway.
4. A high voltage electric power line bypassing Chechnya is nearing completion.
5. A gas pipeline bypassing Chechnya is also being laid.
6. Studies have started for an oil pipeline from Khasavyurt to Terskaya in Stavropol' Kray .
7. Intensive work is underway to strengthen the border with deep trenches and barbed wire.

Map 1 - Railway Bypass Route around Chechnya

Map 2 - Possible Route of Oil Bypass Pipeline

Problems for Chechnya from Enforced Blockade

The problems arising from a tight blockade would be exacerbated by: first, Chechen deficiencies in reserves of foodstuffs, absence of working machinery and a lack of land; second, by Chechnya's inability to produce food, for the republic has no food processing factories, such as dairies, livestock farms or bakeries; third, it has no 'grain mountains' as tractors and agricultural machinery were destroyed in the war and arable land in most mountainous and upland areas is unusable due to extensive laying of landmines by the Russians.

Attempts to Control Criminal Activity In addition to these problems, there is in preparation a decree which puts a restriction on people entering, crossing through or leaving Chechnya. Deputy Premier, Army General Anatoliy Kulikov, Minister for Internal Affairs, spoke about the need for this, for in his opinion: "There was a multitude of instances of people being kidnapped in the North Caucasus which is explained by the possibility of free movement across the Chechen administrative border". However, in fairness to the Russian authorities, some time ago, General Kulikov, as the Minister of Internal Affairs, saw the need to prevent the 'Chechen disease' from spreading and contaminating the rest of Russia.

Russian actions and preparations around the borders of Chechnya can be viewed in the context of trying to control criminal activity, to halt its spread throughout the North Caucasus and as an attempt to reduce or prevent the likelihood of any concerted effort by Raduyev or those holding similar views and inclinations in Chechnya to sabotage pipeline flows, to disrupt the transit of cargo by train or road and to interrupt everyday commercial activity and social life in the North Caucasus region. The statistics and figures that Army General Anatoliy Kulikov produced and set before the law-enforcement conference at Pyatigorsk between 1 to 3 September 1997 provide ample evidence of the deteriorating situation in the North Caucasus, illustrated by the exceptionally steep rise and growth of major criminal activity, which to a large extent General Kulikov blames on the Chechens. Boxes 8 and 9 provide examples from his keynote speech, headlined: "One gramme of peace weighs more than a tonne of war".

It is of interest to note that the statistics mentioned by General Kulikov, reproduced in Box 9, show considerable criminal activity in the northwest areas of the Caucasus region as well, in Krasnodar and Stavropol' Krays, with an increase in not only alcohol related offences but also offences committed whilst under the influence of narcotics.

Box 8 - General Kulikov's Analysis of Situation in and around Chechnya

"The situation in the Chechen Republic is extremely worrying to us, where all the forces are the more actively showing themselves to be openly against the peaceful process. A real wave of criminal violence and terrorism is emanating from the territory of Chechnya. And it must be said directly that the Chechen law-enforcement organs cannot cope with their obligations on account of its pressure. . .

"Periodically, the situation is exacerbated in the zone of the Osetian-Ingush conflict. Attempts continue to destabilise the position in Daghestan, to ignite inter-racial hostility in Kabardino-Balkaria, Karachayevo-Cherkessia. . .

"I cannot but mention also the so-called "Islamic factor" which recently figures more often in speeches of politicians and in mass media publications in the category of a fundamental element which destabilises the situation. . .

"In fact separatist leaders in every way igniting an anti-Russian frame of mind are striving to lean on the religious idea and unite all Muslims in Russia. In this foreign fundamentalist Islamic organisations assist them. First and foremost the Wahhabis. Their influence is felt especially in the Chechen Republic and Daghestan".

Box 9 - General Kulikov's
Analysis of Crime Statistics in North Caucasus

1. "In the first seven months of the current year [1997] in the North Caucasus region 164,000 crimes were registered, out of which more than half (55.2%) were serious or extremely serious."
2. "Characteristically, out of six subjects of the Russian Federation, where in spite of an overall tendency for [crime in] Russia to drop, the growth of crime was noticeable, four were the Republics of Kabardino-Balkaria, Karachayevo-Cherkessia, North Osetia-Alaniya and Stavropol' Kray."
3. "In North Osetia-Alaniya, Kabardino-Balkaria, Krasnodar Kray, and the oblasts of Astrakhan, Volgograd and Rostov the number of intentional committed murders had increased. 70% of all the given crimes were committed on these territories in the North Caucasus."
4. "In the first ten regions of Russia where the greatest number of crimes were committed involving the use of firearms, gas weapons, ammunition and explosives Krasnodar Kray headed the list (920 crimes), followed by Rostov oblast' (855) and Stavropol' Kray (516). In the Republics of North Osetia-Alaniya, Ingushetia and Daghestan a much lower revelation of similar crimes is noted (30.7%, 41.8% and 45.1% respectively)."
5. "80% of all the registered acts of terrorism on the territory of the Russian Federation take place in the North Caucasus. As I have already remarked earlier, the main sources of both criminal and political terrorism are situated on the territory of the Chechen Republic."
6. "In the overall reduction in the country of the number of robbery assaults their number has grown in the Republics of Kabardino-Balkar, Karachayevo-Cherkessia, North Osetia-Alaniya, the Krays of Krasnodar and Stavropol', the oblasts of Astrakhan and Rostov."

7. "The rate of growth of registered crimes committed under the influence of narcotics has risen in the Republic of North Osetia-Alania to 84.2% and in Stavropol' Kray to 57.6%. Operations with oil and oil products, and furthermore the illegal production and circulation of alcohol products continue to remain in the sphere of increasing criminal interest in the North Caucasus."

However, there is no doubt that a statement by General Kulikov at the beginning of January 1998 was inflammatory and designed to foment further instability in the North Caucasus. He said: "It is perfectly justifiable under the circumstances to carry out pre-emptive strikes against the the bandit bases, wherever they are, including those on Chechen territory. Life shows that the bandits do not understand any other language and should therefore be eliminated". Unfavourable reaction to General Kulikov's remarks from both Chechen and Russian are contained in Box 10 below.

Box 10 - Reaction to General Kulikov's Remarks of 6 January 1998

President Maskhadov: ". . . Russia and Chechnya must pass from the language of war to the language of diplomacy . . . History shows that war cannot solve any problems in Chechnya . . . One should lay down new, internationally recognised approaches".

Movladi Udugov: ". . . A provocation aimed at undermining the policy of the Presidents of Russia and Chechnya to achieve a settlement. Putting such demands into practice would lead to a new wave of hostilities. Strikes against targets in Chechnya would explode the entire North Caucasus. As the ultimate outcome, Russia would lose the region for ever".

Presenter on Russian Ekho Moskvyy radio: "Politicians are at the moment refraining from commenting on today's statement by the internal affairs minister. Only Security Council spokesman Igor Ignat'yev recalled in an interview to our radio station that the country's officially proclaimed policy was somewhat different. "Russian Federation President Boris Nikolayevich has set out very precisely three elements, three basic principles in our approach towards the solution of the Chechen problem. These are: peace, territorial integrity and great patience. . . The security Council was ready to continue negotiations".

Aleksandr Lebed (former RF security council secretary): ". . . the Chechen and federal authorities might join in combating bandit groupings operating in Chechnya. The joint command's offices set up after the war provide proof of this. The Chechen war demonstrated that the use of force is hopeless, when force is used the entire nation, from children to old people, rise to resist it. No military leader can win such a war. Proof of this can be found in Abkhazia, Afghanistan, Nagornyy Karabakh and Dnestr (Moldova)".

Boris Berezovskiy (former RF deputy security council secretary) described as inadmissible' the delivery of preventive strikes on gunmen's bases in Chechnya. "It is becoming clear that the Russian authorities do not want to work out a strategy in the Caucasus. As a result, instead of money, Russia will pay with human lives for this".

Tied to the measures being implemented to try and stem the flow of criminal activity from Chechnya, the emplacement of the mechanisms for a blockade could well prove to be a useful lever at some future date in the minds of some in the Centre with which to bring the recalcitrant "piratskaya respublika" to heel.

Effect of Lack of Funding on Chechen Law Enforcement Agencies There is a one other factor, the lack of finance forthcoming from the Federal Centre with which the Chechen authorities could improve and modernise their law enforcement organs and crime prevention agencies themselves, thus providing a higher degree of crime prevention, pre-emption, detection leading to timely apprehension and arrest with the certainty of retribution through the Chechen justice system, thus ensuring greater stability and security in Chechnya. The plight of the Chechen anti-terrorist centre is explained in an interview with Brigadier General Khunkarpasha Israpilov, head of the Anti-Terrorist Centre.

Box 11 - Problems Facing General Israpilov in Apprehending Terrorists

"I do not have a conclusive basis of negotiation with the kidnappers, photographs, evidence from witnesses. And I have no specialist equipment, I am not able to intercept their telephone conversations, to react operationally to all the movements of bandits and hostages. I do not even have transport to pursue the terrorists. My people are not paid and they simply work out of enthusiasm. Tell me, how is it possible to wage war against crime under such conditions?"

The question must remain on the table as to whether this lack of financial assistance is directly attributable to a conscious Russian policy being followed and implemented by some in Moscow with the aim of bringing Chechnya to heel eventually, or merely the results of bureaucratic ineffectiveness, remembering that there are some "39 ministries, departments and committees each with its own lethargy of bureaucracy". After all, the continuation of a criminal hornet's nest of bandits affecting stability throughout the North Caucasus could provide the pretext for the implementation of other extraordinary measures. However, any Russian moves to isolate Chechnya further, even to the extent of imposing a tight blockade, would lead to a sharp escalation of the situation, where the Chechens would take resolute military action. This is in a region, of course, where the mountain men act first and talk afterwards.

Kidnapping and Holding Hostages to Ransom

Commensurate with the fact that the North Caucasus, in particular the North East Caucasus embracing Daghestan and Chechnya, has always been a lawless region, is the long-standing requirement over many centuries that any visitor to the region must have some form of local sponsor who will provide the requisite protection. Having obtained a guarantee of protection, the Chechen will honour and discharge that responsibility by guarding his guest or charge with his life. Furthermore, even before that stage is reached it becomes public knowledge that foreign visitor 'A' is under the protection of Chechen 'B' with the additional protection afforded by teip inter-relations and the question of the blood-feud. On kidnapping and hostage-taking, Shamil' Basayev in October had some comments to make which are contained in Box 12 below.

Box 12 - Shamil' Basayev's Comments concerning Kidnapping and Protection

Basayev believed that in the majority of cases journalists themselves provoked the bandits by not taking the necessary security measures. "You see everybody knows that in Dolinsk and Goragorsk one must never appear without an escort [guide]. We have this place they call the Bermuda triangle. Precisely why do people disappear there? You understand that there, there is a gorge in the Terek Ridge where gusts suddenly arise, each one an air funnel. And that's why people get carried away by the wind."

Kidnapping reduces confidence in the Chechen government and provides the excuse for isolation.

Delays in Restoration of Chechen Economy

Synopsis of Subsidiary Meetings, Intentions and Agreements

Following on from the Russo-Chechen Peace Treaty of 12 May 1997 various subsidiary agreements and intentions in the economic and social spheres were signed. Table 4 below provides a synopsis.

Table 4 - Agreements/Intentions since Russo-Chechen Treaty of 12 May 1997

Date

Treaty/Agreement

Remarks/Parties

21 May 97

Tatarstan-Chechen Treaty

Signed in Kazan'. Annex H

3 Jun 97

Reconstruction deal for Chechnya

Box 1 above refers

11 Jun 97

Oil for grain

Chechnya/Stavropol' Kray

12 Jun 97

Economic issues memo - Sochi

Chernomyrdin/Maskhadov

16 Jun 97

Comms, aviation, borders & customs

RF Comms Agency, RF Avn

Service, RF Border Service, RF Customs

20 Jun 97

Establishment of ChR National Bank account

Central Bank RF/Nat Bank ChR

28 Jul 97

Pension Fund payments

Pension arrears to be completed

Jul 97

Caspian oil transportation

Russia, Azerbaijan & Chechnya

9 Sep 97

Oil contracts over Caspian oil

Russian Federation and Yunko

However, from the Chechen perception there has been little or no progress on the economic issues.

Box 13 - Chechen Perceptions of Lack of Assistance from Moscow

1. Akhmed Zakayev stated "The signing of new documents by Russia and Chechnya is not possible and talks meanwhile will not take place until the earlier agreements are completed ".
2. Movladi Udugov stated "All the previously achieved understandings and concluded agreements must be fulfilled before the negotiating process continues. Today the customs agreement isn't in operation, Groznyy's Shekh Mansur airport has no international status. President Maskhadov has made his position clear; either we close the airport, so that the citizens of Chechnya understand that our country is under a blockade or the airport is acknowledged as having international status, so that they can travel to those countries where they wish to work".

It will be remembered that one of the important steps for the economic reconstruction and revitalisation of Chechnya envisaged the Chechen Republic recovering debts from those other constituent parts of the Russian Federation, RF regions and CIS countries, less Ukraine, which owed money to the Federal budget as a result of the non-payment of taxes and then to use these outstanding monies to restore the Chechen economy. The Federal government would then write off the debt to the value of the assistance accorded to Chechnya. Box 14 below provides an example of how this system will operate.

Box 14 - Russian Federation-Chechen Reconstruction Deal

1. For example, Tatarstan owes money to the Russian Budget. Chechnya reaches an accord with Tatarstan, say, to supply building and construction materials. The Russian budget writes off some of Tatarstan's debt.
2. This plan applies to CIS countries (excluding Ukraine) and to Russia's regions.
3. The Russian government keeps the figures, the Chechen government doesn't have such figures, but expresses an intention, finds a partner and then devises a specific mechanism for cooperation.

War Damage The outline estimates of war damage in Chechnya have already been discussed in "Chechen Connections: An End to Conflict in Chechnya ?" and for ease of reference are reproduced in Box 15 below.

Box 15 - Chechen Conflict Damage Estimated at R10,000 bn1. Virtually all agricultural and related industrial facilities have been destroyed or burnt down. With regard to damaged buildings, hospitals, educational establishments and schools in Groznyy alone, the cost could amount to 60 million rubles. "Up to 60% of children's educational establishments had been destroyed, there were no pupils in the schools. The Secretary of the Security Council proposed that the money allocated for the war pays for the restoration of hospitals, schools and the enrolment of pupils. According to his calculations, talk must be about a sum in the order of 60 million rubles".

2. "According to Koshman's information, 46,500 buildings have been completely destroyed in the Republic of Chechnya - completely destroyed, excluding partially destroyed buildings such as the ones that may have lost a corner or a chimney. If you consider that each of these buildings housed at least one person, your casualty figure will immediately be 46,500. But of course, each of these buildings housed far more than just one person. Various estimates put the number of deaths in this war at 80,000, plus or minus 10,000 - no-one has kept an exact count. No less than 80% of them are civilian".

Displaced Persons, Refugees and Forced Migrants'

In sharpening the focus on the human element, in particular, the plight of displaced people, "Chechen Connections: An End to Conflict in Chechnya ?" sought to widen the scope on the question of displaced persons, refugees and forced

migrants' by embracing not only those people forced to leave Chechnya but to take account also of the displaced peoples in the Caucasus as a whole, who have either fled from Transcaucasia to the North Caucasus or fled from within the North Caucasus to Krasnodar or Stavropol' Krays or Daghestan. For refugees or displaced people from Chechnya this also remains a problem, which is in turn exacerbated by the criteria for qualifying for compensation under Resolution No 510 of 30 April 1997 "Concerning the payment of compensation to citizens for suffering loss of housing and property irretrievably abandoned as a result of the solution of the crisis in the Chechen Republic", for: "Out of the 140,000 officially registered as refugees from Chechnya (it is suggested that in reality taking into account those who remained in Chechnya as being not less than 600,000) only 3% [of the 140,000 ie 4,200] can count on receiving any sort of compensation in 1997 . . ."

Whilst one of Aslan Maskhadov's main tasks was not only to obtain reparation for the damage done to the infrastructure of Chechnya but to obtain compensation for his people who had to flee the republic, compensation coupled with economic rehabilitation, construction and development has another dimension as seen from the Russian side, for "the main category of damage throughout the conflict in actual fact was sustained by federal property". It should also be remembered that not only is the Russian economy struggling, but there is also Russian public opinion which in the main follows the line that Chechnya can go its own way, but the Federal budget should not allot money to an independent state or to a state that is trying to be independent and which does not want to belong to the Russian Federation.

Chechen Unemployment

According to the Secretary of the Russian Security Council, "about 80% of the population of Chechnya at the moment have no work, and amongst the young almost 100% are unemployed".

Summary

If Moscow wishes to have the possibility of halting the drift of a de facto Chechen secession becoming a de jure reality, then without any doubt Moscow must iron out the problems in providing reliable channels for the economic restoration of Chechnya and the rehabilitation of Chechen society as a matter of urgency. Hence one of the main underlying reasons for the proposed visit of President Yel'tsin to Chechnya in early 1998. Restoration of the Chechen economy, investment and reconstruction would go some way to nullifying crime and lawlessness, maybe remove or reduce the 'Chechen infection' from contaminating the whole of the North Caucasus. However, with all the intentions that Russia may or may not have to rehabilitate Chechnya, there must be serious doubts as to whether the financial means necessary for the normalisation of life in Chechnya are actually available from Russia. With little success in achieving full funding from Moscow, Chechnya has made redoubled efforts not only to obtain recognition of its de facto independent status but also to arouse the interest of the Western world, where some experts have already acknowledged the need for a "Marshal Plan" for investment not only in Chechnya but in the whole Caucasus region.

Chechen Moves towards Establishment of External Contacts

Whilst for the Chechen leadership and for the Chechen people as a whole, much hope has been pinned on the forthcoming visit of the Russian President, the Chechen authorities in following their own perceptions of a possible worst case scenario have not been idle in initiating contingency planning. For some time before the announcement of President Yel'tsin's visit to Chechnya in early 1998, there was a concerted flurry of Chechen diplomatic activity to develop economic

links to the maximum throughout the adjacent Transcaucasus involving Georgia and Azerbaijan with the immediate aim of reducing Chechnya's economic dependence on Russia.

A significant point to make here, which illustrates well Chechen political adroitness, cunning and podopleka is that these agreements are made at a much lower level than, say, at the level of Groznyy-Tbilisi implying a state agreement, but at a local level, between contiguous areas on either side of the border between the states so as to get round the question of Chechnya's current status. Chechnya is also making contact and developing diplomatic relations, outwardly as a subject of the Russian Federation with Turkey, the United States, exploring and examining potential business ventures with American, United Kingdom and European international corporations and companies.

The Assistance of Tatarstan

We must begin, however with the relationship between Chechen and Tartar and the Tatarstan-Chechen Treaty of 21 May 1997. The Tatars had suffered deportation, contempt and denigration by Russians, by both Tsarist and Soviet regimes, as had the Muslim mountain peoples of the Caucasus. They had also been a repressed people.

It will be remembered that in 1992, following the collapse of Communist power and the Soviet Union, Chechnya together with Tatarstan had refused to sign the new Federal Treaty which provided for a demarcation of powers between the Centre, the republics and the regions. Tatarstan on 15 February 1994 signed a bilateral Treaty with Moscow on the "Demarcation of Areas of Responsibility and the Mutual Delegation of Powers Between the Organs of State Power of the Russian Federation and the Organs of State Power of the Republic of Tatarstan". This was the first bilateral treaty to be signed between the Centre and another administrative entity in the Russian Federation. It focussed mainly on economic issues, leaving the difficult and contentious issues of sovereignty and status to be held in abeyance. At the time of the implementation of this treaty many in the political hierarchy and commentators were amazed at the scope and scale of what had been achieved by President Mintimer Shaymiyev of Tatarstan. So, in the first place, this treaty was a significant achievement not only for the Tatars of Kazan', but also in a way for Muslim people of the Russian Federation in general.

Turning to the Russo-Chechen conflict, "Shaymiyev has since been an advocate of the 'Tatarstan model' in resolving disputes between the centre and the regions, and emerged in 1995-96 as an active member in the evolving Chechen-Russian peace process". Shaymiyev not only offered moral support to the Chechens but he also presented a seven point plan for the resolution of the Chechen conflict to both President Yel'tsin and President Dudayev in February 1996, in which he stressed that a "demilitarised Chechnya would not pose a threat to the territorial integrity of the Russian Federation". Subsequently he has provided support for Chechnya in saying that the eventual treaty between Moscow and Groznyy could not be the same as the Russo-Tatar treaty on account of the conflict. Shaymiyev also advocated to the Chechens the benefits of concentrating on economic issues rather than the question of status, to get the economy running again. In this of course Ruslan Aushev of Ingushetia was also an advocate. Tatarstan could help by providing education and assistance in the sphere of commerce and development.

The Georgian Connection

At the end of November this year, Chechen Vice- Premier Akhmed Zakayev visited Tbilisi for talks on economic questions. One of the main points of his visit concerned the construction of the "autostrada" linking Groznyy and Tbilisi, to ensure that whilst the Chechen side would complete their part of the road within

two to three months, the Georgians would not only complete the road on their territory but would also let Chechen vehicles and goods through their territory when the 'autostrada' was completed.

Map 3 - Terrain along Chechen-Georgian Border

As Isa Bisayev, an adviser to the Chechen President, declared: "This road has a strategic character for Chechnya. Having constructed it we will finally be able to be connected with the outside world, avoiding Russia. And by this same thing the blockade of Chechnya by the Kremlin loses all meaning".

Zakayev also intends to conclude an agreement between contiguous regions of Chechnya and Georgia. Other agreements which the Chechens want to complete are the opening of civil airline links between Groznyy and Tbilisi, the creation of a single electric power system from Georgia and one concerning the beginning of the construction of a railway from Chechnya to Georgia.

The Caucasus Common Market

Another project closely linked to Georgia in which the Chechens have become involved is the creation and development of a Caucasus Common Market. The Chechen government intends to proceed as fast as possible in integrating the Chechen economy with the other Transcaucasian countries.

Summary

Chechen attempts to obtain recognition from the Western world will not endear them to Moscow. Russia as always, sensitive to outside influences along her southern borders, Central Asia, the Transcaucasus and particularly the North Caucasus will be suspicious and wary of any Western involvement in Chechnya. Continued instability in Chechnya would not be attractive to Western investors.

"Islamic Republic of Chechnya"

The Announcement

As part of the continuing campaign to obtain world-wide recognition of de facto Chechen independence, on 6 November 1997, whilst Aslan Maskhadov was enjoying a short rest in Anatolia, news was broadcast of an announcement made by him to the effect that "Ichkeria from henceforth would be known as the Islamic Republic of Chechnya". The Chechen leader believed that the Chechens had now achieved independence. They now wanted and proposed a new form and system of government. However, it will be remembered that the concept and eventual formation of an Islamic republic was one of the election slogans of Maskhadov in January 1997, though he did have some reservations and recognised the requirement for it to be introduced in slow time, step by step, "relying on the customs and traditions of the people". Replying in January 1997 on the eve of the presidential elections to a question from NG' about the future structure of Chechnya, he stated that the norms of Islam do not exclude democratic elections and the combination of posts of the state's leadership and spiritual leader. During the run up to the Chechen elections, "Aslan Maskhadov despite the declaration of Islamic principles, was not perceived as an active champion of Islamic ideology, at least in comparison with Zelimkhan Yandarbiyev and Movladi Udugov". However, the announcement by Aslan Maskhadov from Turkish Anatolia does not exclude the possibility that this step was connected to an internal political power struggle within the Chechen leadership. The somewhat drawn out period which it took for President Maskhadov to obtain from the Chechen parliament additional powers could serve as further confirmation of a political struggle behind the scenes.

Increase in Opposition from Moscow

The announcement of Chechnya becoming an Islamic Republic echoed the fears of the Russian Interior Minister, Anatoliy Kulikov, some 14 months ago, when he said:

"We must, of course, calculate now the consequences for Russia of losing Chechnya. It is absolutely essential that we do this. In the first place, the loss of Chechnya will lay the foundations for the establishment of a green Islamic belt in the south of the country. One must bear in mind the possibility of increased separatism in other parts of Russia".

Chechnya has now become the sixth state in the world to include the word "Islamic" in its official title, or alternatively to become the first officially Islamic subject of the Russian Federation. Moscow could hardly be expected to muster enthusiasm and register approval of such a declaration. Amongst a body of opinion in Moscow, Groznyy has neither calculated the possible short to medium term consequences nor undergone a legal evaluation of the implications of this announcement. In essence, one very necessary step to be taken consequent upon such a decision is an amendment to the Constitution of Chechnya, which is dependent on unanimous approval by the Chechen Parliament. By the adoption of a new fundamental law, Ichkeria "brings on itself the effects of yet another turn in the screw of opposition from Moscow". The execution of two people earlier in the year by firing squad as a result of a sentence imposed by a Sharia court in Groznyy produced a reaction outside Chechnya of horror and incredulity, particularly in Russia.

Reaction from World Community

Jordan and Turkey During the period of combat operations in Chechnya the greatest help for the Chechens of course came from those countries which had a large Chechen diaspora, in particular from Turkey and Jordan. For some of those from the diaspora who actively fought for the Chechen cause against the Russians, the conflict against Russia is unfinished. However, whilst there has been unofficial assistance to the Chechen cause from both these countries, their governments have pursued a tough line against terrorism. This was demonstrated by the decisive action of the Turkish authorities against the terrorist-hijackers, the "Grandsons of Shamil" who seized the Black Sea ferry "Avrasiya" in January 1996, acting in sympathy with the Chechens who were encircled by Russian forces at Pervomayskoye, following Raduyev's raid on Kizlyar in Daghestan. Turkey mounted an effective operation which resulted in the capture of the hijackers, return of the ferry and release of hostages without further bloodshed. It was difficult not to make a comparison between the smoothness of the Turkish operation and the chaotic organisation of the Russian one at Pervomayskoye. Turkey is unlikely to recognise Chechen independence officially, a point tacitly understood and avoided by Maskhadov when questioned during an interview whilst in Anatolia in November 1997.

The Western World A similar position is likely to be continued by the world community, where in politics sober calculation normally assumes a greater importance than emotion, personal preference and sympathies. In practice it is unlikely that a leader of any state will decide to break off diplomatic relations with a relatively powerful state such as Russia in favour of "supporting a tiny wee' tumbledown republic" in its bid for independence. Perhaps the attitude of the Western world can be best illustrated, not only by the statement of Douglas Hurd, on the eve of his flight to Washington in January 1995 to meet Warren Christopher: "We'll be telling the Americans that we mustn't let the Chechen affair cause a major policy rift. The long term relationship between the West and Russia is too important to be put in jeopardy", but also by one made by Chancellor Helmut Kohl, "Yel'tsin must continue to receive the support of the West". Furthermore, despite the visit of Maskhadov to the United States in early November 1997, neither will Washington be recognising Chechen independence in the foreseeable future for the simple reason that Washington and Moscow are all the more now "becoming enmeshed in the bonds of a strategic partnership of a long term nature". Even the

parliaments of the Baltic Republics, where emotions run high and strong anti-Russian feelings exist, have refused to recognise the independence of Chechnya.

So-Called Pariah States Igor' Rotar' puts forward the view that Grozny may have certain hopes with regard to "linking up with those states which thanks to the endeavours of Washington find themselves in a state of international isolation", namely, Iran, Iraq, Libya and Sudan. However, it must be noted that both Teheran and Baghdad have established close contacts with Moscow, calculating on breaking the tight mould of international isolation which surrounds them. Neither state is going to sacrifice their friendship with Russia for the sake of Chechnya. A break with Moscow by Tripoli is also less likely following the visit to Libya in September 1997 of Sergei Shoygu, Minister for Emergency Situations. Grozny may also be entertaining the possibility of developing even closer links with Khartoum. Chechnya already has a history of close contact with Sudan on account of the fact that the personal aircraft of Dzhokhar Dudayev was based there on one of the airfields in close proximity to Khartoum. One further matter of interest is the fact that "the new criminal code in Chechnya which is based on Sharia Law is more or less a copy of the one in operation in Sudan". Economic contact between Moscow and Khartoum is minimal. Sudan supports all Islamic movements in the world and Khartoum could recognise Chechen independence, but any such action could also have the effect of lowering the authority of Chechnya in the eyes of the world, as any further development of relations by Chechnya with the pariah states could inhibit Western interest and investment.

Summary

The announcement of Chechnya becoming an Islamic state can only antagonise the more extreme and obdurate in the power-wielding structures in the Kremlin, giving a degree of substance to their worst forebodings, already exacerbated by Sharia executions in Grozny and the extremist activities of Wahhabis in Daghestan. It may also induce a degree of wariness from potential Western investors, particularly if links with Sudan are developed and solidified.

Strains within the Chechen Government

The Problem

It would indeed be remarkable if there were no splits, splinter groups or factions within a government of a country previously divided by civil war and subsequently wracked by the devastating effects of armed military intervention with almost the entire infrastructure in ruins and the people homeless, undernourished, sick and unemployed. The Republic of Chechnya is no different. Even during the conflict there were schisms amongst the Chechens over the approach to ridding Chechen soil of the Russian military invader and infidel occupier, as demonstrated by the differences between Dudayev with his close circle of followers from the traditional mountain teips in the south of Chechnya and Maskhadov with his following derived mainly from the people belonging to the professions, the lowland plains around Urus Martan, the Sundzha River and north beyond the River Terek. Dudayev and his supporters saw Chechen freedom being achieved through the prosecution of war against Russia, Maskhadov saw that there were other ways of achieving the removal of Federal armed forces from Chechen territory: the standpoint of the isolated traditional south against an approach derived from reason and wider contact with the outside world.

Teip Power

This divergence of approach has far deeper roots than just the questions raised in the latest round of conflict between Chechen and Russian, for it lies in the centuries-long struggle to preserve the structure and social cohesion of Chechen

society, subjected to deportation, not once or twice, but several times in the preceding 200 or so years, not forgetting of course the Stalinist deportations of 1943-44 during the Great Patriotic War.

The Chechen way of life tends to build and enhance national unity through the interconnection of teips, mainly through marriage and the continuation of an unchanged tradition of social behaviour and religious worship, but there is another aspect, perhaps a negative one. Preserving the traditional way of life the teip system can in fact hinder and restrict progress, by its very presence denying the inclusion of people with the required level of competence for the management of the complicated components which make up everyday modern life in the spheres of the economy, commerce and revenue collection necessary for the functioning of a modern state, to say nothing of the important aspects of research and development. Even now traditional teip power is evident in a somewhat single-minded, narrow, restrictive role where the quest for personal power, increase in and preservation of influence are the predominant objectives. Teip power could clearly have a tendency to spoil, perhaps undermine and even render ineffective the gains wrested from Moscow which have been achieved by the present legally elected Chechen leadership.

Intermingled with the problems of government is the question of how far should traditional teip power and influence continue to be the criteria for selection to head a government department, when there is quite clearly a need for professionally qualified people. Often the competent, suitably qualified and professionally trained lack ultimate effectiveness because they do not possess the necessary teip connections and influence. In an attempt to rectify the shortcomings of the previous system under Dudayev, following the elections in January 1997, there was a period of deliberate and thorough examination of candidates in the selection process for membership of the new Chechen government, with the hope of emulating the comparatively successful policies and management processes of President Ruslan Aushev of Ingushetia: "I took people neither according to nationality, nor according to teip, but professionals whom I could trust" .

Need for Compromise in Formation of Government in February 1997

However, it became clear when whilst the advertised criteria for selection to the new Chechen government were in some degree slanted toward the recruitment of the competent professional, in practice the old loyalties, strengthened by the bonds of comradeship found in a shared military experience, proved to be the criteria for selection. In a number of cases performance was to prove short of the requirement. Furthermore the processes involved in the formation of the new government unmasked divergences of opinion at the very top of the power structure. On the one hand, there was the hard and uncompromising Vice-President Vakha Arsanov who sought to place his people, relatives and those bound to him by teip bonds in key appointments: a continued adherence to the traditional teip system. The position of Maskhadov was different, for whilst he also wished to have his people in the most important positions of power, they were not to be subject to the obligations imposed by connections of immediate family, bonds of kinship from extended family or teip, but to those people who could be trusted to direct and manage, to hold down a job, to shoulder their responsibilities, to fulfil and honour their obligations to the state and the nation, as for instance Deputy Prime Minister, now Foreign Minister Movladi Udugov with his voracious appetite for work. The outcome was a degree of compromise. For instance, if the head of a department or ministry was a nominee of Maskhadov, then his deputy would be a nominee of the Vice-President and vice versa. It was significant that Maskhadov, as well as being President, retained the post of Prime Minister.

Speculation about Erosion of President's Power

However, events over the last 12 months have shown that teipism' still remains a major element and has probably been instrumental to some degree in hindering the progress that Maskhadov wanted to achieve in economic revival, normalisation of Chechen society and the eradication of large-scale lawlessness in Chechnya and its projection into other immediately adjacent North Caucasus territories. It will be remembered that much appeared in the Russian press about how Dudayev used to denigrate and mock Maskhadov in summer 1995 during the July ceasefire-peace negotiations. Recently there has also been considerable speculation about how the country is being run by people other than the President, emphasised by the return of Shamil' Basayev to 'big-time' politics. It must be mentioned, of course, that some articles in the Russian press may have been written for purposes other than being supportive of the elected Chechen head of state and his government. Whilst Maskhadov was in Anatolia in November 1997 prior to his visit to the United States, according to Ivan Rybkin, Secretary of the Russian Federation Security Council, the lack of progress in providing the urgently required financial-economic support from the Federal Centre had led to a growth in the influence of extremist forces and Maskhadov was "now, as it were, taking a rest", and "the republic is being governed by Vakha Arsanov and Shamil' Basayev".

Corroboration of the view that the Vice-President Vakha Arsanov had concentrated on himself "all the economic, political questions, and, in essence, he controls the situation and not the President" is contained in an earlier article by Sanobar Shermatova in "Moskovskiye Novosti". Shermatova believes that in the main this has taken place thanks to the personal authority of Arsanov and furthermore to the fact that the Vice-President is identified with and represents the highly regarded Chechen Cherbeloi teip. Following the Chechen elections, a number of Arsanov's relatives and people from the Cherbeloi teip came to occupy positions of authority and thus he could rely on their support. In the words of Ivan Rybkin, "the neck controls the head and the tail - the fox".

Bearing in mind Maskhadov's time away from the country in May 1997, Maskhadov's short holiday, the return and presence of Shamil Basayev in the government during Maskhadov's absence are put into a different perspective in an interview with Maskhadov by Izvestiya in November 1997; see Box 16 below.

Maskhadov's answer to the last question is illuminating in that it is reminiscent of military language, clear cut, direct, equating to the straightforward, vertical, uncomplicated responsibilities and loyalties of military life. Perhaps the view that Maskhadov was a better general than President has some substance, for there is still an element of political naivety, remembering a description of Maskhadov from the time of Kizlyar and Pervomayskoye in January 1996 that "Maskhadov is an experienced soldier, but an inexperienced politician. . ." A case could however be made that achievements subsequent to January 1996, the Khazavyurt Accords, the Chechen elections and the Russo-Chechen Treaty of 12 May 1997, would tend to contradict this viewpoint.

Kidnapping, hostage taking and ransom demands have continued to undermine the authority of the Chechen President and government. Teip interests, even within government circles, may also be a factor in prolonging the situation through involvement and connections with the criminal world.

Box 16 - Interview with Aslan Maskhadov in Anatolia

Question: "As a rule, leaders of states, when there is unrest in the country don't leave their country for a long period of time. Is it possible you consider your trip here as evidence that everything is stable in Chechnya?"

Maskhadov: "I also wish this trip to show that everything is normal there, meanwhile, of course, there are problems, post-war difficulties. The country

was practically destroyed down to its foundations, hundreds of populated points have been obliterated from the face of the earth. But they warned us that after the war it would be an incomprehensible situation, that to start to divide power amongst each other would start a civil war, this was not listened to".

Question: "The return of Basayev to big power politics is linked to the stabilisation of the situation in Chechnya"?

Maskhadov: "I think so, it is connected with the fact that Shamil' by nature is a type of person (I know him very well) that cannot remain on the sideline from those things which I do. He is simply not able to be on the sideline. Well, a month - two months is possible but no more".

Question: "You asked for additional powers. What are you going to do if parliament does not give you the required powers"?

Maskhadov: "I tell you that the powers are sufficient for me, I have power, real power... Everything is sufficient for me. Naturally, I wish to show the whole world and in the first place my people that I am a man who is prepared to take upon himself full responsibility. Everything good or bad I take on myself. So that we, as in the time of the war, were in one command. So that everyone understands: to fight with us further is useless. Civilised relations must be built with us, so that it is really one command, one leader there, one man, who shoulders the responsibility, and all follow him".

Box 17 - Aspects of the Grozny "Underground"

1. The main sources of financing the fighters were not so much foreign investors, as Russian special forces love to speculate, but Chechen government bureaucrats and officials. The Grozny underground in the main occupied itself in the kidnapping of their fellow countrymen who served in the structure of the pro-Russian government.
2. Having captured the people, they dispersed them to the field commanders. Moreover, a rule was in operation: if the kidnap victim originated from western Chechnya, he was sent to a detachment which was deployed in the east, so that the relatives of the kidnap victim could not reach him.
3. This very practice is continuing and now in the present situation, yesterday's fighters are organised as government officials or bureaucrats. Sergey Markov paints an even more sombre picture of the political situation in Chechnya by emphasising the limitation of Maskhadov's powers as President in practice, expanding on the concept of a "Pirate Republic" and concentrating on the aspect of rogue Chechen field commanders acting as 'feudal barons' by ignoring the rule of the Chechen President and government.

Box 18 - A Sombre View of the Chechen Situation

"Moscow sees Aslan Maskhadov in the category of a ruler with whom it is possible to negotiate. However, the problem is that Ichkeria remains a pirate republic, and Maskhadov cannot control the majority of armed detachments. Journalists and politicians often make guesses: to whom are the field commanders subordinated, more to Basayev or Maskhadov".

The field commanders consider themselves and their armies' as free agents who will only obey orders if it is favourable to them or in their interests. Their relations are not those of military men but more reminiscent of feudal lords who have their own following, control their own territory and collect tribute.

"Therefore, the relationship between Maskhadov and the field commanders follows that same logic which reflects a relationship between a weak king and the independently minded barons in the Middle Ages". Maskhadov is not able to halt the business of hostage taking, because the whole of Chechnya is occupied in such business, "and the slave trade has always been beneficial to pirates and bandits".

Positive Remedial Action by the President

In order for Chechnya to benefit from external contacts with Western companies, gaining investment, commercial activity and trade, Maskhadov was aware that his government must implement a number of measures, namely: first, the imposition of law and order to a level which will provide internal stability, thus attracting external financial investment in the Chechen economy; second, to modernise economic thinking in the Chechen government, departments and agencies; third, perhaps the only way to bring about these changes in a short space of time, was more direct control in the hands of one person, particularly in the fight against crime and terrorism. To take the last point first, the Chechen Parliament granted President Maskhadov additional powers for a two year period in order to wage an effective campaign against criminal activities including large-scale fraud. On the question of modernising economic thinking, some retirements of senior officials had already been made in the economic and financial spheres of the Chechen government. It was the intention of the Chechen leadership to carry out further far-reaching cadre changes in government posts and the directors' corps in the near future. Local political commentators in Grozny remarked that the retirement of a series of officials in the economic directorate was no accident in that it coincided with Maskhadov receiving additional extraordinary powers from the Chechen parliament, for: "in the present situation the process of widening the President's powers is obviously objective and inevitable. The reinforcement by additional power in the first place is conditioned by the importance of the struggle with crime and terrorism".

The return of Basayev to the Chechen government in the role of First Deputy Prime Minister (Chairman) of the government for a period of six months, following Maskhadov's invitation to him to form a new government, gives an additional, if not vital impetus into the urgent requirement to "channel immediate efforts into the restoration of the Chechen economy and the fight against crime". The new government's appointments are in Table 5 and Box 19 below.

Table 5-Major Appointments in New Chechen Government of 15 January 1998

Appointment
Name
Previous Appointment and Remarks

1st Dep PM

Shamil' Basayev
Dep PM. Chairman of new government

1st Dep PM
Turpal Atgeriyev

Foreign Minister
Movladi Udugov
Dep PM. FM equates to Dep PM

Dep PM Power Structures
Kazbek Makhashev
Minister Internal Affairs

Dep PM
Musa Shakhabov
Without Portfolio - heavy industry

Dep PM
Khamzat Shikhdayev
Without Portfolio - social issues

Min. Culture, Info & Communications
Akhmed Zakayev
Former Field Commander Western Front
Presidential National Security Adviser
Chechen negotiator and Min. Culture

Chm State Cttee Fuel & Energy
Shirvani Basayev
Younger brother of Shamil Basayev. Field Commander and Prefect of Vedeno 95-97

Min. Construction
Aslambek Ismailov
Close associate of Shamil' Basayev. Civil engineer, fought with Soviet Army in Afghanistan

Defence Minister
Ruslan Gelayev
Second most senior Chechen commander & Commander Western Front

State Border and Customs Service
Health
Tax
Finance
Justice
Industry
Education
Road Construction
Natural Resources
Food Committee
Head Cabinet Management Department
Magomed Khatuyev
Umar Khambiyev
Vakha Ibragimov
Magomed Mollayev
Vakha Murtazaliyev
Daud Akhmadov
Abdula Khusainov
Nuzhden Daayev
Isa Astamirov
Lom-Ali Asultanov
Ziyavdi Aubyeu

Ruslan Alikhadshiyev Op cit "Moskovskiye Novosti" No 28 13-20 July 1997 page 6
"Gurzhekhanov had worked in Communist administrations, in the governments of Dudayev, Khadzhiyev, Zavgayev and now works in the present day government. He has been heading the republic cooperative for 27 years already. And all these years despite the changes and the military conflict, the network of cooperatives has developed like clockwork. Gurzhekhanov is considered to be a rich person, but according to rumours, he does not have accounts in a foreign bank, but profits are reinvested in the business. Using connections of many years standing in the sphere of trade and commerce, Gurzhekhanov achieved the fact that in Chechnya there is a large inflow of goods"., Speaker of the Chechen Parliament, made some interesting comments considering the cabinet reshuffle.

Box 20 - Ruslan Alikhadzhiyev on Government Changes

"The President clearly stressed in his decree on the dismissal of the government that the previous cabinet had failed to cope with its tasks. Nonetheless, the same people account for all nominees for positions in the new cabinet. The government structure proposed by the President fails to answer many questions. We believe that a reshuffle will not solve the existing problems and ministers who failed in the previous government will not be able to cope with problems within a new cabinet".

Despite Ruslan Khadzhiyev's concerns about the effectiveness of the new Chechen cabinet, there is no doubt that the return of Shamil' Basayev has the potential to lift its performance. The reasons for his selection to the first freely elected Chechen government in February 1997 not only remain valid today, but in fact assume a greater importance.

Box 21 - Continued Valid Reasons for Inclusion of Shamil' Basayev in Government

1. The arrival of Basayev in Maskhadov's government was considered as a political success of the newly elected president in uniting around himself influential field commanders.

2. At the time of the elections it was understood that Baku early oil would transit through the Baku-Groznyy-Novorossiysk pipeline. Who better than Basayev to ensure the security of the pipeline?

3. His supporters from the number of field commanders approved his deputy premiership: thus they believed that his influence on the policies of Maskhadov would be strengthened. This still holds good.

4. The inclusion of the Basayev into the new Chechen government served to cement and maintain loyalty; inclusion keeps him within the government, subject to the strict criteria required for being a member and holding a post in the new Chechen government; but also, contrary to public belief, it is more likely than not that Basayev has a deep respect for Maskhadov.

In essence, post-war Chechen statehood is being created from zero. An exclusive role in this is attached to the President, who because of objective reasons remains not only the leader of the state and government but a figure approaching the "Father of the Nation", personifying in the eyes of the population of the republic the principles of independence and national unity". Whether or not there is substance in rumours of a government split, the national leaders face a monumental task in creating a stable society. It would not be surprising to find that they differ in how best to achieve their aims, but this need not destroy the country.

SUMMARY AND CONCLUSIONS

Whilst at the level of the joint consultations between Russian and Chechen representatives there may appear to be an insuperable deadlock, on the positive side it is necessary to remember that these are still early days in the search for an acceptable settlement between the two sides. It is important to remember the three important steps in the peace-process that have already been achieved. These are re-stated below.

Box 22 - Achievements of the Peace Process

1. The latest armed conflict in a long series of wars and confrontation between Russia and Chechnya has been terminated [Khasavyurt Accords 30/31 August 1996].
2. Federal Forces have withdrawn from Chechnya [Khasavyurt Accords].
3. A peace treaty has been signed in which both sides have agreed to refuse forever the use or the threat of the use of force in solving any issues of dispute and to build their relations in accordance with universally recognised principles and norms of International Law [Treaty on Peace and Principles of Relationships between the Russian Federation and the Chechen Republic of Ichkeria of 12 May 1997].

There are two further considerations which will arise in the future. These are contained in Box 23 below. The first one is directly connected to the peace process and the negotiations on status. The second is not directly included in the peace process itself, but has the potential to directly influence or shape the final outcome.

Box 23 - Two Future Considerations

1. An agreement on the basis of mutual cooperation between the Russian Federation and the Chechen Republic, to be determined in accordance with universally recognised principles and the norms of international law, must be achieved by 31 December 2001 [Khasavyurt Accords].

2. However, before 31 December 2001, the current presidential term in the Russian Federation is due to end with new elections in the year 2000. Uncertainties abound: will President Yel'tsin attempt to stand again or will there be a new President of Russia with a different approach to the Chechen question?

Within the sphere of draft treaty documents and discussions there are still wide differences between the Russian and Chechen sides. As a result of the Russo-Chechen conflict, an agreement on Chechen status may well require the Russians to go further in granting a more extensive, comprehensive and wide-ranging authority to Groznyy, in the delimitation and demarcation of powers between Moscow and Groznyy, than those agreed previously between Moscow and Kazan' in the Russo-Tatarstan Treaty of 15 February 1994. However, it should also be noted that Mintimer Shaymiyev is by no means unhappy with that the results of that treaty and the benefits that have already accrued to Tatarstan. A further treaty developing the relationship between Kazan' and Moscow is due to be negotiated in 1999.

Proposals such as in the Bashlam' Draft Treaty, in their comprehensiveness and sensitivity to the feelings of both sides, go much further in providing a mutual face-saving formula and a modus vivendi for future relations, than the two draft treaty documents produced by the sides in August/September 1997. So far, however, neither side has discussed in public the detailed content of any draft.

In the negotiating process on the future status of Chechnya itself, there would appear to be a lack of urgency on the Russian side, much of which can be attributed to the fact that Moscow does not have a clear cut policy on the North

Caucasus. Without this, implemented with a spirit of great urgency, it is possible that even before the year 2001 the situation in the Caucasus will deteriorate and the whole of the Caucasus may be lost to Russia. Discussion in the Russian press and in Russian government circles about referenda on the question of Chechen status weaken the Russian case but strengthen the Chechen one by actually making it a topic of discussion.

It is possibly still true to say that the initiative on Chechen-Russian relations lies in the hands of Groznyy, for the Kremlin does not know what to do with Chechnya. This fact to some extent was underlined at the August 1997 meeting between President Yel'tsin and President Maskhadov where some of the language used was more reminiscent of talks between two heads of different sovereign states than between a Federal President speaking with a subject of his Federation. However, speculation in the Russian press from October 1997 concerning the decline in the power of President Maskhadov may have caused a weakening of this advantage.

Failure by Moscow to provide the required level of financial and economic support, agreed earlier and signed by Chernomyrdin with Maskhadov in June 1997, along with the failed implementation of all the other agreements, will create increasing strains and pressures in Chechnya and Chechen society, exacerbating Maskhadov's already onerous task in restraining the more extreme elements in the Chechen government and Chechen society as a whole, to the extent that it could render his position and future uncertain. Even disregarding the failure of agreements to materialise, the position of the Chechen President and his new government is serious, particularly when the euphoria of military victory has dispersed, the hopes and aspirations engendered by the free elections are foundering on the rocks of unemployment, there is no improvement in the economy or amelioration of social conditions and the opposition is growing, just as Mintimer Shaymiyev forecast almost a year ago: ". . . he (Maskhadov) will find things very difficult, regardless of whether he wants to hurry things or not. There are the people, there is public opinion. There have been elections, and the next thing we will see is a strong opposition. . . The opposition will be pressing for independence while he needs to rebuild the country. . . After a war or revolution or after anything like that, people always expect an improvement in their living standards. . ." Without Aslan Maskhadov, for there is no other of sufficiently high calibre, integrity and wisdom to run the country at the present time, not only is the Chechen cause lost, but any hopes of a rational outcome for Russia will be lost with it, raising the spectre of a return to conflict in an already fragmented and fractious North Caucasus.

If Moscow wishes to have the chance of halting the drift of a de facto Chechen secession becoming a de jure reality, then without any doubt Moscow must iron out the problems in providing reliable channels for the economic restoration of Chechnya and the rehabilitation of Chechen society as a matter of urgency, hence one of the main underlying reasons for the proposed visit of President Yel'tsin to Chechnya in early 1998. Such a visit by President Yel'tsin to the North Caucasus is a means of demonstrating that he acknowledges the importance of the North Caucasus and understands the acute problems there. Furthermore it could be seen as the start of an attempt to overcome the damage caused by previous neglect, lack of firm and consistent policy from the Centre towards the region which has been bedevilled by haphazard decision-making, resulting in contradictory, random action by the federal power wielding structures.

For the Chechens who have invited the President it could actually strengthen their position. Whilst no one in Groznyy has elaborated on a split in the leadership of the republic, disagreement in the political circles of Ichkeria is difficult to conceal; for the Chechen leadership to demonstrate openly that they have attracted a visit from the Russian Head of State, as opposed to a senior ranking apparatchik is a strong card.

Restoration of the Chechen economy, investment and reconstruction would go some way to nullifying crime and lawlessness, maybe prevent the 'Chechen infection' from contaminating the whole of the North Caucasus. However, with all the intentions that Russia may or may not have to rehabilitate Chechnya, there must be serious doubts as to whether the financial means necessary for the normalisation of life in Chechnya are actually available from Russia. With little success in achieving full-funding from Moscow, Chechnya has made redoubled efforts not only to obtain recognition of its de facto independent status but also to arouse the interest of the Western world, where some experts have already acknowledged the need for a "Marshal Plan" for investment not only in Chechnya but in the whole Caucasus region.

The system proposed by Moscow whereby various republics and regions contribute to Chechen restoration direct and claim a credit for this contribution as opposed to remitting tax revenue direct to Moscow is undoubtedly open to muddle and abuse.

Preliminary measures by the Russians, perceived by the Chechens as axiomatic for the implementation and execution of a blockade, leading to the isolation of Chechnya from the world, together with the dilatory provision of the required funding for restoration and rehabilitation, more than encourages the suspicion that one approach by Russia is to strangle Chechnya into submission by economic means. Whilst kidnapping and other criminal acts reduce confidence in the Chechen government and provides the Russian government with an excuse for isolating Chechnya, enforced blockade will drive the Chechens toward a renewal of armed conflict.

Chechen attempts to obtain recognition from the Western world are not succeeding and will not endear them to Moscow. Russia, as always sensitive to outside influences along her southern borders, will be suspicious of any Western involvement in Chechnya. Continued instability in Chechnya would not be attractive to Western investors.

The announcement of Chechnya becoming an Islamic state can only antagonise the more extreme and obdurate in the power-wielding structures in the Kremlin, giving a degree of substance to their forebodings already exacerbated by Sharia executions in Grozny and the extremist activities of Wahhabis in Daghestan. It may also induce a degree of wariness from potential Western investors, particularly if links with Sudan are developed and solidified.

In the final analysis, it is against all Russian instincts to concede defeat in any matter, let alone to acknowledge final defeat over the Chechen question by relinquishing her legal title to Chechen territory and granting independent status to Chechnya. In some respects, the struggle of the Chechen people is reminiscent of the Children of Israel's struggle to escape from Pharaoh's yoke of bondage and oppression. In the North Caucasus, it is much more likely that the Kremlin will continue pursuing a policy, characterised by contradiction, marred by inconsistency but rendered totally ineffective by a lack of coordination amongst the power-wielding structures in Moscow.

Even if Chechnya wins de jure independence, the challenges in restoring a ruined economy and infrastructure are crippling. The establishment of a national consensus on issues other than that of independence, will be a difficult task for even the most popular of leaders.

ANNEX A

RUSSO-CHECHEN TREATY
DRAFT OF RUSSIAN FEDERATION DELEGATION

TREATY BETWEEN THE STATE ORGANS OF POWER OF THE RUSSIAN FEDERATION AND THE STATE ORGANS OF POWER OF THE CHECHEN REPUBLIC OF ICHKERIA CONCERNING THE MUTUAL DELEGATION OF AUTHORITY

We, the authorised representatives of the organs of state power of the Russian Federation and the Chechen Republic, in the interests of achieving and strengthening the civil peace on the territory of the Chechen Republic, eschewing the use of force in deciding any disputable questions, leading from the necessity of ensuring inter-nation agreement and security of nations, of guarantees observing the universally accepted right of nations on self-determination, the principles of equal rights, and voluntariness and freedom of will; maintaining its adherence to the principles of freedom, democracy, respect for human rights and citizenship, independently from national affiliation, religion, place of residence and any differences to the basic freedoms and to law and order; considering that the present treaty is the basis for concluding agreements between the organs of the executive authority of the Chechen Republic and the organs of the executive authority of the Russian Federation, have agreed the following below:

Article 1

The Chechen Republic has its own Constitution and legislature. The Chechen Republic independently establishes a republican system of state power organs. The Chechen Republic possesses on its own territory full and complete state power with the exception of the powers given over to the jurisdiction of the Russian Federation. The territory and status of the Chechen Republic cannot be changed without its agreement.

Article 2

The organs of state power of the Chechen Republic carry out the following authorities of state power:

1. The adoption and alteration of the Constitution of the Chechen Republic and the laws of the Chechen Republic;
2. The determination of the order of organisation and activities of the system of organs of state power of the Chechen Republic, the formation of the organs of state power of the Chechen Republic;
3. The administrative-territorial structure of the Chechen Republic;
4. The guaranteeing of legality and law and order, public safety on the territory of the Chechen Republic;
5. The budget of the Chechen Republic, the republic taxes and collection;
6. The questions of ownership, use and disposal of land, hypogeum, waters, forests and other natural resources, and furthermore state enterprises, organisations, other moveable and immovable state property situated on the territory of the Chechen Republic is the exclusive property and ownership of the people of the Chechen Republic, with the exception of objects of the Russian Federation;
7. The questions of Republic citizenship;
8. The organisation of an alternative civilian service on the territory of the Chechen Republic;
9. The determination of a system of education taking into account the national and historical traditions of the peoples residing on the territory of the Chechen Republic;
10. The establishment and maintenance of economic, cultural and other relations with the other subjects of the Russian Federation;
11. A Republic State Service;
12. The establishment of state awards, honour grades of the Chechen Republic;

On the questions of the conduct of the Chechen Republic, republic laws and other normative acts are to be adopted.

Article 3

The organs of state power of the Chechen Republic and the organs of state power of the Russian Federation jointly carry out the following powers;

1. The guaranteeing of human rights and freedom of citizens, the rights of national minorities;
2. The coordination of activity in the fight against crime and the preservation of law and order and the preparation of law enforcement organs;
3. The demarcation of state responsibilities;
4. The establishment of general principles of taxation and collection;
5. The formation of special economic zones, free customs zones, the establishment of taxation and other duties;
6. The regulation of interbudgetary relations;
7. The question on the development and functioning of systems of energy, transport (including pipelines and communications);
8. The creation of funds for the financing of joint special programmes;
9. The solution of general questions of state service;
10. The solution of the questions of citizenship of the Russian Federation;
11. The regulation of the presence of an alternative civil service on the territory of the Chechen Republic;
12. The coordination of the of public health; protection of families; social protection; including social insurance;
13. The guarantee of common standards in solving the questions of employment of the population, payment for work, regulation of the migration process;
14. The general questions of education, science, culture, physical culture and sport;
15. The realisation of measures for coping with catastrophes, natural disasters, epidemics, the liquidation of their consequences;
16. Use of the Natural Environment; protection of the surrounding natural environment, the realisation of measures for its restoration and the guarantee of ecological security; the evaluation in conformity with state and international standards on the condition of the quality of the environment, especially the protection of nature reserves; protection of historical monuments and culture;
17. The coordination of international and external links of the Chechen Republic.

Article 4

In the aims of demarcation between the federal organs of executive power and the organs of executive power of the Chechen Republic of the authorities, established by Article 3 of the present Treaty, the government of the Chechen Republic and the government of the Russian Federation include agreements which are an inseparable part of the present Treaty.

Article 5

The organs of executive power of the Russian Federation can transfer the right of realisation of part of its authorities to the organs of executive power of the Chechen Republic. The organs of executive power of the Chechen Republic can transfer the right of realisation of part of its authorities to the organs of executive power of the Russian Federation. In the transfer of the right of realising concrete authorities in the related agreement the necessary conditions of transfer and the realisation of these authorities are provided for. The organs of executive power of the Russian Federation in conformity with the agreements concluded by the government of the Russian Federation with the government of the Chechen Republic can provide the organs of executive power of the Chechen Republic with the authorities of their own territorial organs.

Article 6

The organs of state power of the Chechen Republic have the right to dispute in a corresponding court and to take to the President of the Russian Federation or to the government of the Russian Federation proposals about any suspension of action on the territory of the Chechen Republic partially or completely of legal acts of the organs of executive power of the Russian Federation, which: regulate the questions pertaining to the authority of the Chechen Republic; do not conform to the authorities of the organs of executive power of the Russian Federation on questions enumerated in Article 3 of the present Treaty; redistribute in a unilateral manner articles of the authority and power of the Chechen Republic, establishing the present Treaty.

Article 7

The Chechen Republic independently becomes a participant of international and external economic links, including the participation in the activities of international organisations and funds, if it does not contradict international treaties (agreements) of the Russian Federation with subjects of foreign states, administrative-territorial forms of foreign states, and furthermore with ministries and departments, other organisations of foreign countries.

Article 8

In the interests of an effective realisation of the present Treaty the organs of state power of the Russian Federation and the organs of state power of the Chechen Republic can create joint commissions and other working organs on an equal footing. The organs of state power of the Russian Federation and the organs of state power of the Chechen Republic organise a mutual exchange of information concerning the course of executing this present Treaty.

Article 9

In the interests of an effective realisation of of the present Treaty the organs of state power of the Russian Federation and the organs of state power of the Chechen Republic guarantee the putting into practice normal legal acts of the organs of executive power in conformity with the present Treaty.

Article 10

Disputes and disagreements which arise during the course of realisation of the present Treaty, and furthermore disputes about the competence between the organs of state power of the Russian Federation and the organs of state power of the Chechen Republic on questions enumerated in Article 3 of the present Treaty, are resolved by way of an agreed procedure in any order established by the Constitution of the Russian Federation.

Article 11

The organs of state power of the Russian Federation and the organs of state power of the Chechen Republic can have their representations respectively in the city of Groznyy and the city of Moscow.

Article 12

The present Treaty or its separate positions cannot be altered or added to in a unilateral manner. Additions and alterations can be introduced in this Treaty on the mutual agreement of the Parties by means of additions to the present Treaty or the completion of a new Treaty. The present Treaty comes into force from the day of its official publication.

Completed in duplicate, each in the Russian and Chechen language. Both texts have identical force.

ANNEX B

CHECHENO-RUSSIAN FEDERATION TREATY
DRAFT OF THE CHECHEN REPUBLIC OF ICHKERIA'S DELEGATION

TREATY
CONCERNING FRIENDLINESS AND COLLABORATION BETWEEN THE CHECHEN REPUBLIC OF
ICHKERIA AND THE RUSSIAN FEDERATION

The Chechen Republic of Ichkeria and the Russian Federation,
- ruling by the principles of International Law and maintaining their own
adherence to the aims and principles of the Charter of the United Nations
Organisation [UNO],
- regarding the historical experience our mutual relations,
- striving to create and develop equal rights, mutually favourable and friendly
inter-state relations,
- based on the positions of the Treaty about peace and the principles of mutual
relations between the Chechen Republic of Ichkeria and the Russian Federation of
12 May 1997 have contracted the undermentioned:

Article 1

The Chechen Republic of Ichkeria and the Russian Federation (hereafter the High Contracting Sides) together recognise the sovereign, independent states, subjects of International Law and establish diplomatic and consular relations between them. The exchange of diplomatic representatives at the level of ambassadors will be carried out after the signing of the present Treaty by the Sides. The Russian Federation provides assistance in the entry of the Chechen Republic of Ichkeria to the UNO, the Organisation of Security and Cooperation in Europe [OSCE] and the Commonwealth of Independent States.

Article 2

The Chechen Republic of Ichkeria and the Russian Federation (hereafter the High Contracting Parties) take upon themselves the mutual obligations not to violate their inter-state relationship itself and not to enable the violation by third parties in the relations of one of the High Contracting Parties of the generally recognised principles and norms of International Law.

Article 3

The High Contracting Parties recognise the inviolable existence of frontiers between them. The regime of the state borders between the Chechen Republic of Ichkeria and the Russian Federation will be determined by a special treaty.

Article 4

The Chechen Republic of Ichkeria and the Russian Federation take upon themselves mutual obligations to guarantee to officials, residing at the moment of signing on the territory of the Chechen Republic of Ichkeria and the Russian Federation the right to choose citizenship of the Chechen Republic of Ichkeria or the Russian Federation in conforming with their free volition. The High Contracting Parties guarantee to their citizens independently from their nationality or different rights and freedom of other distinctions.

Article 5

The High Contracting Parties by a separate Agreement determine the scales of material and moral damage inflicted on the people and state by the Chechen War. The Russian Side takes upon itself the obligation to compensate in full measure the indicated damage up to . . . year.

Article 6

The Parties take upon themselves responsibilities to collaborate in the sphere of the fight against organised and international crime. These obligations will be agreed in a special agreement.

Article 7

The High Contracting Parties realise their sovereign rights in the sphere of defence and security and determine to collaborate in this sphere in a separate Agreement taking into account the interests of international security and the striving of both Parties in reinforcing peace in Europe and Asia and to friendliness in the framework of the comprehensive European process.

Article 8

The High Contracting Parties consider it expedient to coordinate the multi-faceted collaboration of the Parties in international relations. The Parties consider the realisation of agreed initiatives on participation in different international organisations important.

Article 9

The High Contracting Parties grant to each other, and furthermore to their physical and juridical officials, the status of the most favoured in the sphere of trade, service, transport and in other spheres of economics. The High Contracting Parties take on themselves the obligation of not adopting in a unilateral manner discriminatory, destabilising or inflicting economic measures of damage to each other. The Russian Federation will promote the development of direct links of subjects of the Russian Federation with the Chechen Republic of Ichkeria in cultural, humanitarian, economic and trade areas.

Article 10

The High Contracting Parties recognise the importance of creating a single all-embracing system of ecological conservation [environmental protection] for the Parties in conformity with international standards, and furthermore by agreeing on the necessary occasions with special agreements.

Article 11

The Chechen Republic of Ichkeria and the Russian Federation guarantee cargo transit operations through their own sea, river, and air ports, road networks and pipelines, and furthermore are obliged to include an inter-government agreement concerning the settlement of questions of the transit of goods through their own territories.

Article 12

The present Treaty does not affect relations of the High Contracting Parties with third countries.

Article 13

The Chechen Republic of Ichkeria and the Russian Federation include agreements on collaboration in the area of public health, protection surrounding the environment of science and technology.

Article 14

Disputes concerning the interpretation and adoption of of the norms of the present Treaty are liable to a decision with the assistance of the means of solving international disputes, which are provided for under Article 33 of the United Nations Organisation's Charter.

Article 15

The present Treaty does not affect relations of the High Contracting Parties with third countries [sic].

Article 16

ANNEX C

THE CHECHENO-TATARSTAN TREATY OF 21 MAY 1997

TREATY

CONCERNING FRIENDSHIP AND COLLABORATION BETWEEN THE REPUBLIC OF TATARSTAN AND THE CHECHEN REPUBLIC OF ICHKERIA

The Republic of Tatarstan and the Chechen Republic of Ichkeria, named in the future as the Contracting Parties, respecting the state sovereignty of the sides, actively striving for the development and strengthening of friendship in political, social-economic, cultural and other spheres, acknowledging the priority of basic rights and freedom of the individual, have contracted the undermentioned;

Article 1

The Contracting Parties will build their own bilateral relations on the basis of the principles of equality, non-interference in internal affairs, mutual respect and friendship.

Article 2

The Contracting Parties will abstain from inflicting political, economic or other damage to the other.

Article 3

The Contracting Parties will collaborate in the fight against organised crime.

Article 4

The Contracting Parties will collaborate in the restoration of the economy and system of public health of the Chechen Republic of Ichkeria and assist in the preparation of cadres.

Article 5

The Contracting Parties will assist in the development of effective forms of joint industrial, scientific-technical, investment and commercial activity, the creation and realisation of joint projects, including the participation of a third party, and furthermore to create favourable conditions for comprehensive contacts of physical and juridical officials of both sides, including their participation in exhibitions and fairs, in the exchange of information and other forms of friendship.

Article 6

The Contracting Parties will take measures, mutually which ensure security of actual officials, legal protection of investments and property of physical and juridical officials of the Parties, property of existing and newly created joint enterprises, and furthermore of state property.

Article 7

The Contracting Parties will assist in the development of links between professional unions, national, youth, women's and other social organisations and labour collectives, and contacts in the fields of culture, science, education, public health, radio, the press, television and sport.

Article 8

The Contracting Parties recognise it is important to establish in the cities of Kazan' and Groznyy respectively Plenipotentiary Representatives of the Republic of Tatarstan and the Chechen Republic of Ichkeria.

Article 9

The Present Treaty comes into force from the day it is signed. The Present Treaty consists of a period of 5 years and is automatically extended for an undefined period, if neither of the Contracting Parties do not announce a denunciation by means of a written notification of the other Contracting Party within a year before the expiry of the existing period.

Article 10

The Present Treaty signed in duplicate, each in Tatar, Russian and Chechen languages on the basis of one for each Party, both duplicates are identical and they have identical force.

Completed in City of Kazan' 21 May 1997

Aslan Maskhadov
President Chechen
Republic of Ichkeria

Mintimer Shaymiyev
President of the
Republic Of Tatarstan

ANNEX D

Treaty on Peace and Principles of Relationships between the Russian Federation and the Chechen Republic of Ichkeria

The High Contracting Parties, desiring to end the many-centuries long confrontation and striving for establishing firm, equal rights, mutually beneficial relations, agreed:

1. To refuse for ever the use or the threat of the use of force in solving any issues of dispute.
2. To build their relations in accordance with the universally recognised principles and the norms of International Law, in this the Parties interact in the spheres defined by specific agreements.
3. The treaty is the basis for the conclusion of further treaties and agreements in the whole complex of relationships.

Moscow 12 May 1997.

ANNEX E

KHASAVYURT AGREEMENT 30/31 AUGUST 1997
JOINT DECLARATION

We, the undersigned,

Taking into account the progress achieved in implementing the agreement on the cessation of military activities,

Striving mutually to create acceptable preconditions for a political resolution of the armed conflict,

Recognising the inadmissibility of using armed forces or threatening its use in the resolution of all issues,

Proceeding from the commonly recognised right of peoples to self-determination, the principles of equality, voluntariness and free expression of will, strengthening inter-ethnic accord and the security of peoples,

Expressing the will to protect unconditionally human rights and freedoms and those of any citizen, irrespective of ethnic origin, religious beliefs, place of residence or any other distinctions, and to prevent acts of violence against political opponents, in doing so proceeding from the 1994 General Declaration of Human Rights and the 1996 International Pact on Civil and Political Rights,

Have jointly developed Principles concerning mutual relations between the Russian Federation and the Chechen Republic, on the basis of which the future negotiation process will be conducted.

Signed:

A Lebed

A Maskhadov

S Kharlamov

S Abumuslimov

Date: 31.8.96

In the presence of the Head of the OSCE Assistance Group in the Chechen Republic
T Guldemann.

ANNEX F

KHASAVYURT AGREEMENT 30/31 AUGUST 1997
PRINCIPLES

For determining the basis of mutual relations between the Russian Federation and the Chechen Republic

1. An agreement on the bases of mutual cooperation between the Russian Federation and the Chechen Republic, to be determined in accordance with universally recognised principles and the norms of international law must be achieved by 31 December 2001.

2. A Joint Commission shall be formed from representatives of the organs of state power of the Russian Federation and the Chechen Republic by no later than 1 October 1996, of which the tasks are:

- The monitoring of the implementation of the President of Russia's Decree of 25 June 1995 No 985 and the preparation of proposals on the completion of troop withdrawal;

- The preparation and monitoring of the agreed measures in the struggle against crime, terrorism and manifestations of nationalistic and religious enmity;

- The preparation of proposals on the restoration of currency, financial and budgetary interrelations;

- The preparation and submission of programmes to the Government of the Russian Federation for the restoration of the socio-economic structure of the Chechen Republic;

- The monitoring of the agreed coordination of the state organs of power and other interested organisations in the provision of food and medicines for the population.

3. The legislation of the Chechen Republic is based upon observance of human and civil rights, the right of peoples to self-determination, the principles of equality among peoples, the guaranteeing of civil peace, inter-ethnic accord and the security of those living on the territory of the Chechen Republic, regardless of their ethnic origin, religious beliefs and other distinctions.

4. The Joint Commission shall complete its work by mutual agreement.

ANNEX G

Draft

TREATY CONCERNING THE BASICS OF MUTUAL RELATIONS BETWEEN THE RUSSIAN FEDERATION AND THE CHECHEN REPUBLIC

Article 1

The Russian Federation recognises that the Chechen Republic is a sovereign state, a subject of international law, which is associated with the Russian Federation and has handed over voluntarily part of its sovereign rights to be under the authority of the Russian Federation on the basis of the Agreement. Taking into consideration the historical experience of their mutual relations and desiring to avert in the future actions which can inflict damage to the state sovereignty of one of the Sides, the present Agreement is qualified in the Organisation of the United Nations, which takes upon itself the obligation to guarantee to both the Sides with all the available authorities of a guarantor of respecting the given Agreement.

Article 2

Recognising the principle of territorial integrity of the Russian Federation and the Chechen Republic, universally recognised norms of international law and the decree of the UNO, standing for the preservation of common borders of the Sides, a common customs union, a common system, a common economic space, a common ecological space, a commonly agreed economic and legal space; collective system of defence; joint control of communication means and systematic countering organised crime; creation and development of an institution of dual citizenship; equality of usage of the Chechen and Russian languages; coordination of internal political activities, the Sides have determined the foundations of their mutual relation.

Article 3

The Chechen Republic is a sovereign state which on the voluntary commencement delegates to the authority of the Russian Federation the following sovereign rights:

1. The guaranteeing of collective defence and the control of the collective armed forces, collective frontier troops, organisation and control of exploitation and production of arms and combat equipment, organisation and production of fissionable materials, toxic substances and the order of their use.
2. The guaranteeing of collective security of: the protection of maritime and air space; the continental shelf; the question of war and peace. The representation of interests, including the Chechen Republic, in relation with foreign states and international organisations on questions transferred to the authority of the Russian Federation.
3. The representation of the interests of the Chechen Republic in relations with subjects of foreign states and in international organisations, where the Chechen Republic will not represent its interests itself.
4. The carrying out of money supply, the preservation of gold reserves, the diamond and currency funds of the former Soviet Union, questions of geodesy, cartography, meteorology and standardisation.
5. The control of activities in space, nuclear energetics; the control of all energetic systems.
6. The execution of all restoration work in the Chechen Republic, programmes in the sphere of state, economic, social, cultural and national development.

Article 4

The Chechen Republic is a sovereign state which on the voluntary commencement transfers to a joint and agreed authority with the Russian Federation the following sovereign rights:

1. The protection of sovereignty and territorial integrity of the Sides from a Third Side; the guaranteeing of rights and freedom of citizens of the Russian Federation and the Chechen Republic, and furthermore foreigners and stateless citizens.

2. The determination of military policy; the establishment of the order of call-up and duration of military service; the solution of questions connected with the activities of troops and the distribution of military objects on the territory of the Chechen Republic; the control of businesses of the defence complex; the determination of the order of sale and production of weapons, ammunition, military equipment and other materiel on the territory of the Chechen Republic. (Taking into account the exclusiveness of the situation, the Sides could have achieved an understanding on the questions of creating on the base of the Chechen armed formations sub-units manned from the number of citizens of the Chechen Republic, carried out tasks on safeguarding the collective security of the Sides on the territory of the Chechen Republic).

3. The determination of the strategy of collective security and guaranteeing the security of the Sides; the protection of the state border, of state sectors; the determination of strategic resources and articles, not liable for transfer to a third Side; the establishment of general principles and normatives in the sphere of ecological security; the establishment of the order on obtaining and protecting fissionable and radio-active materials.

4. The bilateral coordination of activities of protection of rights organs of the Sides. The agreed determination of the organs of security systems of the Chechen Republic. The working out and realisation of programmes countering crime.

5. The determination of a strategy of a foreign policy course and participation in its execution of the Chechen Republic.

6. The determination of a strategy and working out of programmes of social-economic development of the Sides and the creation of conditions for the formation of a common market, based on a common currency; the creation and use of gold reserves, diamond and currency funds; control of monetary emission, creation of a general fund for the liquidation of the consequences of military action in the Chechen Republic, including international and federal forms, and for joint programmes.

7. The control of the energetic system, the main trunk gas-oil pipeline, rail and air transport, the coordination of actions in the sphere of the use of water resources and the working out of a common approach to the evaluation of the condition and quality of natural surroundings, measures for its stabilisation and restoration.

8. The creation of a customs organ of the Chechen Republic, carrying out its activities on the basis of the customs code of the Russian Federation with a concession to it on a legal basis of a special status.

9. The determination of a regime of unhindered and tariff-free movement of transport, cargoes, monetary means, and products by air, sea, river, rail and metalled roads, and furthermore by pipeline transportation, outgoing or incoming over the territory of the other Side.

10. The creation, taking into account the state of the social-economic situation in the Chechen Republic, of a free economic zone on its territory, a legislative determination of its legal status. The creation of of the necessary infrastructure, including an international passenger and cargo complex.

11. The coordination of questions of health care, protection of the family, social protection including social security. The coordination of measures for the prevention of ecological catastrophes.

Article 5

The Chechen Republic as a sovereign state implements independently the following of its own sovereign rights, including:

1. Makes its own Constitution and legislation, state flag and coat of arms. The people of the Chechen Republic are a common source of power in the Chechen Republic; the people implement directly and through the representative organs in the forms and limits determined by the Constitution of the Chechen Republic.

The sovereignty of the Chechen Republic belongs to the people of the Chechen Republic; sovereignty is indivisible, inalienable and immovable.

2. It guarantees the protection of its own state sovereignty, its own territorial inviolability, constitutional structure, ensures lawfulness and law and order. The Chechen Republic possesses supremacy and full power on its territory, independently it determines its own historic destiny.

3. Independently it owns the land, hypogeum, natural resources of the Chechen Republic, and is exclusively the property and common property of the people of the Chechen Republic.

4. It provides guarantees for all the citizens of the Chechen Republic of the right and freedom in relation with the norms of international law and the Constitution of the Chechen Republic. It implements the Law concerning citizenship of the Chechen Republic. For citizens of the Chechen Republic military service is spent within the limits of the Chechen Republic, except on occasions of a voluntary wish and occasions of instruction in military training establishments outside the Chechen Republic.

5. It determines the form of government; establishes the system and structure of the state organs of the Chechen Republic, the order of their organisation and activities.

6. It carries out international relations, participates in intergovernmental organisations; it implements representation of the interests of the Chechen Republic in other states and international organisations, opening consulates and delegations, not opposing the international obligations of the Russian Federation in the part of its sovereign rights of the Chechen Republic transferred to its authority.

7. It determines the system and structure of judicial authority, possessing supremacy on the territory of the Chechen Republic, regulates and implements the granting of amnesties and pardoning of people convicted by courts of the Chechen Republic.

8. It determines the system and structure of preservation of rights organs and forms them. Independently it forms organs of security of the Chechen Republic.

9. It forms its own state budget, independently implements tax legislation, implements the regulatory monetary-credit and financial-investment activities legislation, including banking legislation in the Chechen Republic.

10. It creates a national bank of the Chechen Republic, possessing all the authorities for the state regulation of the economy and is the agent of the government in the servicing of the state budget of the Chechen Republic; the national bank is accountable to the parliament of the Chechen Republic, its own relationship with the Central Bank of the Russian Federation is built on the basis of a bilateral agreement.

11. Independently carries out international economic activity, participates in intergovernmental economic and financial organisations, projects and consortia, including MBF, MBRR and EBRR. Independently determines the order of licensing and quotas of export deliveries.

12. Independently determines a system of education and training, programmes of instruction, structure of education and training.

Article 6

The concluding positions of the negotiations concerning the basis of mutual relations of the Russian Federation and the Chechen Republic.

1. The Russian Federation guarantees the Chechen Republic representation in the organs of state power and the government of the Russian Federation.

2. The Russian Federation compensates for the economic, material and ecological damage inflicted as a result of the inadequate use of military forces on the territory of the Chechen Republic.

3. For the resolution of intractable questions of mutual relations in the given Agreement additional bilateral agreements are signed, joint commissions and other working organs are created.

4. Organs of State power of both the Russian Federation and the Chechen Republic are not able to issue legal acts contradicting the norms of the current Agreement.

5. In the event of a contradiction of the Constitution and the legislation of the Russian Federation, of the Constitution and legislation of the Chechen Republic to the positions of the current Agreement, the Sides act according to the positions of the Agreement.

6. The Chechen Republic has the right to suspend its mutual relations with the Russian Federation in the event of a violation by the Russian Federation of positions of the current Agreement determined by mutual relations of the Sides.

7. The Russian Federation has the right to suspend its mutual relations with the Chechen Republic in the event of a violation by the Chechen Republic of positions of the current Agreement determined by mutual relations of the Sides.

8. Disputes on the realisation of the current Agreement are settled by means of an agreed procedure. In the failure of consent disputes will be taken for the consideration of the guarantor of observance by the Sides of the current Agreement, the United Nations Organisation.

9. The Sides open plenipotentiary representation correspondingly in the town of Moscow and in the town of Groznyy. The Sides determine the legal status of the plenipotentiary representation.

10. The Sides assume mutual responsibility for the execution of measures undertaken by them according to current Agreements responsibilities.

11. The Agreement or separate positions of it can be revoked, changed or amplified only with the consent of both Sides.

12. The Agreement comes into legal force after 10 days from the day of signing and is subject to publication in mass media means.

FROM THE
RUSSIAN FEDERATION

FROM THE

CHECHEN REPUBLIC

ANNEX H

Russian Federation-Tatarstan Treaty - 15 February 1997