

SUMMARY

THE MSF SPEAKING OUT CASE STUDIES

WAR CRIMES AND POLITICS OF TERROR IN CHECHNYA 1994-2004

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The summary lays out the context and the content of MSF's public statements and the key dilemmas they sought to address.

It is part of a more detailed case study that reconstructs the events using excerpts from documents taken from the MSF archives or from media coverage at the time, as well as interviews with MSF personnel.

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SUMMARY

On 1 November 1991, Chechnya, a republic in the Northern Caucasus whose people had more than once paid a heavy price for their opposition to the central government in Moscow, declared its independence from the Russian Federation. In January 1992, the Chechen President, Djokhar Dudayev, refused to sign Chechnya's membership treaty with the Russian Federation, and went on to introduce a Chechen constitution. In June 1993, he dissolved a parliament still loyal to Moscow, and accorded himself full powers. During the summer of 1994, Dudayev's forces overcame the internal opposition forces, supported , and trained by Moscow.

In December 1994, Russian forces crossed over onto Chechen soil, officially "to disarm the parties to the conflict". The war that followed was presented by the Russian government as a police operation conducted on Federation soil. The federal forces pounded and destroyed whole towns and villages, blocking international witnesses from the civilian bombings by denying access to humanitarian organisations. Entire regions were thus closed off. In the summer of 1996, the conflict abated with the Chechen separatists' victory over the Russian army. The latter temporarily withdrew from the country.

The new Chechen President, Aslan Maskhadov, elected in 1997, failed to bring stability to the country. Brought to its knees by the war and riddled with a flourishing mafia, Chechnya also struggled to contend with an upsurge of radical Islamism. The kidnappings of senior corporate staff, humanitarian workers and international journalists multiplied, contributing to the destabilisation of the Northern Caucasus and depriving Chechens of much-needed aid while discouraging the presence of foreigners.

In August 1999, a group of radical Chechen rebels led an armed incursion into Dagestan. The same rebels were held responsible for a string of bomb attacks staged in Moscow, leaving hundreds of dead in their wake. The Russian forces thus returned to the fray in Chechnya, rolling out a Moscow-termed 'anti-terrorist operation'. After an intensive period of bombing, wiping out towns and villages and uprooting more than 200,000 Chechens to neighbouring republics, the federal government embarked on a 'normalisation' phase. Based on the imposition of terror, it led to the disappearance of thousands of civilians in cleansing operations and torture camps. Meanwhile, part of the Chechen resistance radicalised, overwhelming President Maskhadov, whom Moscow no longer recognised. The rebels scaled up the attacks against the federal government and the pro-Russian Chechen administration put into place by the Kremlin.

From late 2000 on, the federal government started applying pressure on Chechen refugees in neighbouring republics, forcing them to go home. Such a return would show other nations and international institutions that the country was indeed reverting to normal. In reality, the living conditions and security in Chechnya were in a disastrous state. Only a trickle of assistance reached the Chechen population, as a climate of terror compromised the work of international organisations, while the armed forces and a corrupt administration practised wide-scale misappropriation of aid. In May 2002, a 20-step repatriation agreement was signed by the Ingush authorities and the federal government, formalising the forced dismantling of the Chechen refugee camps and a return to their devastated country.

WHAT DID MSF DO AND SEE?

During the first war, the Médecins Sans Frontières teams battled against the obstacles the Russian forces threw in their path so as to assist civilian populations in Chechnya and neighbouring republics. They supplied hospitals with medicines and medical materials, operated on the wounded and negotiated and sometimes secured the evacuation of patients during village bombing raids.

In April 1996, an expatriate administrator working for the Belgium section was kidnapped for several weeks. This was followed by a succession of threats, other kidnapping attempts, armed hold-ups, robberies of the MSF premises, and the assassination of six International Committee of the Red Cross (ICRC) employees in December 1996. These events led to the closure of MSF's programmes one by one. In July 1997, the French section's administrator was kidnapped in Ingushetia. He escaped the following October, and all MSF sections withdrew from the Northern Caucasus.

In autumn 1999, when hostilities in Chechnya flared anew, MSF's operational sections struggled to work in a context of all-out war, exposing expatriate volunteers to the dangers involved. In 2000, the different sections tentatively initiated support activities for refugees in the neighbouring republics of Georgia, Ingushetia and Dagestan. In Chechnya, the operations were mainly run by national staff members trained and managed from a distance, by teams based in Moscow and Nazran conducting sporadic field visits. This cautious approach was consolidated in January 2001 following the kidnapping of the MSF Holland Coordinator, who was held for three weeks in Chechnya. Before this kidnapping, with the assistance of a solid national team, the Dutch section had managed to set up a supply system for the Chechen hospitals, bringing in medicines and medical materials. In Ingushetia, the MSF team's efforts to improve the refugees' living conditions were thwarted by the authorities' determination to perpetuate the misery, thereby pressurising the refugees to return to Chechnya.

In the summer of 2002, alerts, threats and attempted and successful kidnappings swelled in the Northern Caucasus. On 12 August 2002, the MSF Switzerland Coordinator, a Dutch national, was kidnapped in Dagestan. During the 18 months of his captivity, over and above the drama itself, the deterioration of MSF's relations with his family and the Dutch government, and the climate between the MSF sections handling the kidnapping, all conspired to weaken the organisation's work and position in the Russian Federation. Nonetheless, the national staff continued to run activities in Ingushetia and Chechnya.

Throughout the entire period of its presence on Russian Federation soil, MSF was the repeated target of rumours launched and fanned by army or administration representatives and relayed by the Russian media. The teams were accused of espionage and supporting the Chechen rebels. The strategy of intimidation and terror employed by the Russian authorities in the Northern Caucasus impacted on humanitarian workers as well as on the populations they were trying to assist.

WHAT DID MSF SAY?

During the first war, press releases and volunteers' personal accounts delivered in the international press described the violence inflicted by the Russian forces on civilians

and the obstacles thrown in the path of aid organisations. In May 1995, the massive bombing of Shatoy, the merciless killing of civilians and the forced evacuation of the MSF team and its patients were followed by a press release and a report denouncing the Russian forces' disrespect for humanitarian law

In April 1996, after the bombing of several towns in southern Chechnya, which was bolstered by a prohibition of access for assistance organisations, MSF held an international press conference in Moscow and circulated a report documenting, through the personal accounts of survivors and volunteers, the targeting of civilians by the Russian forces. The kidnapping of the Belgian section's administrator a few days after the press conference led to a certain amount of discussion regarding a causal link between the two events.

From July to October 1997, during another kidnapping, this time the French section's administrator in Ingushetia, MSF limited its communications to journalists likely to provide information. In October, after the hostage's extraordinary escape, which incited some considerable incredulity, MSF organised a press conference during which the ex-hostage provided some very real details of his flight.

When hostilities flared up again in autumn 1999, MSF was running limited operations, yet chose to publicly denounce the Russian army's conduct during the war. In November, the organisation called for the immediate opening of the border between Chechnya and Georgia and demanded respect for Chechen civilians' right to flee. In December, when receiving the Nobel Peace Prize in Oslo, its representatives launched an appeal for a ceasefire in Grozny, the Chechen capital, which was under the Russian army's ultimatum of evacuation and total destruction at the time. In early 2000, a report containing accounts collected from Chechen refugees in Georgia was disseminated to the international press, and MSF employed the term 'war' to describe the Russian government's 'anti-terrorist operation'.

Within MSF, certain people questioned the validity of the refugee's accounts, labelling them 'second hand'. Others considered that qualifying the situation as a war didn't change a thing, and furthermore it wasn't up to MSF to make this call. Meanwhile the national staff working for MSF's Dutch section spent much of the year 2000 collecting accounts, through their activities in Chechen health facilities, on the Russian forces' assaults on civilians. In autumn 2000, these accounts were used as a basis for a communication campaign conducted in Europe. The Dutch section's Coordinator was highly vocal in the campaign and in the Russian media as well. He was then kidnapped for a three-week period in January 2001. Here again, a causal link between the two events was invoked by certain parties, although the identity of the kidnappers eventually contradicted such a theory.

In January 2002, MSF launched a communication campaign denouncing the pressure exerted on the Chechen refugees in Ingushetia to return. It gave a press conference in Paris, together with Sergey Kovalev, the former dissident, Duma member and human-rights activist. This campaign was extended to the spring and summer of 2002, opposing the 20-step repatriation plan drawn up by the Russian and Ingush authorities.

When MSF Switzerland's Coordinator was kidnapped in Dagestan in August 2002, the organisation limited its initial communications to calls for the volunteer's release. Thus, in October 2002, the organisation abstained from all public communication on the health disaster its team witnessed in a Moscow hospital, after the Russian forces launched an assault using narcotic gas to end the Chechen rebels' kidnapping of nearly 800 people in the Dubrovka Theatre.

From January 2003 on, given the dearth of information about its volunteer's fate, MSF changed its strategy and raised the visibility of the kidnapping in the media: launching a worldwide petition demanding the hostage's release; press releases on anniversary dates or when proof of life was received; and press conferences with the family and representatives of the Dutch government, etc.

In March 2003, despite the caution that was required for the kidnapping, MSF publicly denounced the destruction of refugee housing its teams had built for Chechens in Ingushetia. In May, it gave a press

conference in Moscow and published a report based on a survey conducted among the refugees, revealing that more than 90% of them refused to return to Chechnya, mainly for security reasons. Throughout 2003, in press releases and statements issued by members of the organisation's senior staff, MSF drew attention to the Russian government's lack of involvement in investigations and efforts to secure the hostage's release, despite the fact that the latter had been kidnapped on Federation soil.

From March 2004 onwards, a more offensive strategy was launched, based on information obtained from private investigators and a journalist from an independent Russian weekly paper. It accused members of the Russian and Dagestan parliaments and pointed to the involvement of the Russian secret services. This line of communication led to some serious disagreements between MSF and the hostage's family, along with members of the Dutch government, who considered that raising questions about the authorities and secret services could only damage the chances of a release. It also created some serious friction within the movement. Some parties considered that, as MSF had no proof to prop up these accusations, it should refrain from broadcasting them. Moreover, the Dutch section was experiencing serious difficulties adopting a position contrary to national public opinion, which supported its government's approach of diplomatic caution. The hostage was eventually released on 11 April 2004.

During this entire period, MSF backed all instances of public speaking out, be it on the situation in Chechnya, the refugees' fate, or the kidnapping of volunteers, with regular meetings held at diplomatic level. They aimed to raise the awareness of policy deciders capable of influencing the warring parties. Furthermore, all official Russian visits to European or North American states, and any international summits including the Russian Federation, were taken as opportunities to question the various parties publicly. On three different occasions, MSF was heard by the Council of Europe on the situation in Chechnya and the refugees' fate (January and November 2000 and January 2002). The organisation was heard by the United Nations Human Rights Council in April 2002. Each of these hearings was taken up by a press release issued by the organisation.

QUESTIONS AND DILEMMAS

Throughout this period, MSF's operational positions and the way it spoke out publicly gave rise to a series of questions and dilemmas that led to reflection, debate, and controversy within the organisation and beyond:

- ▶ Was speaking out publicly the right thing to do?
 - With regard to Russia, a superpower with a veto at the UN Security Council and a tradition of propaganda control of the public arena inherited from a past which paid little heed to freedom of expression:
 - Is it realistic to rely on raising the awareness of other UN member states via public opinion there?
 - Should MSF have ignored or addressed the accusations of espionage regularly levelled at it in the Russian media?
- ▶ In a context of terror, when dealing with a regime in denial of the reality of a war:
 - Why is it important to have this situation termed a 'war'?
 - Is it up to MSF to call for this qualification?
- ▶ Given the risk of assault and kidnapping of staff working in the Northern Caucasus, can we justify MSF's limited operational presence by the need to bolster our public speaking out in which we denounce persecutions against the Chechen population?
- ▶ Should public speaking out on the Northern Caucasus be moderate so as not to jeopardise MSF's activities elsewhere in the Russian Federation?
- ▶ Is there a causal link – as the chronology of events might suggest – between instances of MSF publicly speaking out and the security incidents involving MSF staff? Should we take this possibility into account when deciding whether to speak out publicly, and how?
- ▶ When a member of MSF staff is taken hostage:
 - should we speak out in the media to create visibility that affords him/her some protection, or conversely remain as discreet as possible so as to avoid a rise in his/her 'market value'?
 - should we publicly point out a government's responsibilities, negligence or even complicity when a kidnapping occurs on its soil, thereby taking active steps to secure the hostage's release, or should we refrain from such a discourse so as to avoid the opposite effect, when a government digs in its heels?
 - should we continue to publicly denounce the violence inflicted on people in the region, at the risk of radicalising those parties to the conflict responsible for the kidnapping, and placing the hostage's life in danger?

NOTA BENE

For safety and confidentiality, the names of the MSF locally hired staff interviewed or quoted in this document have been reduced to a single letter which does not correspond to their initials or indicated by [...].

This study only mentions the kidnapping of Arjan Erkel in so far as it concerns MSF's public statements and the dilemmas these involved. There are therefore no details regarding the investigation or the particulars of this affair.

Similarly, this document does not contain any elements concerning the legal action taken by the Dutch government against MSF concerning the resolution of the Erkel Affair.

To quote this content:

Laurence Binet, MSF Speaking Out Case Studies, 'War crimes and politics of terror in Chechnya 1994 - 2004', June 2010, URL: <https://www.msf.org/speakingout/war-crimes-and-politics-terror-chechnya-1994-2004>

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Thank you for reading.

If you would like to explore these events further, we invite you to consult the SOCS project website where you will find:

- the complete case study
- maps showing where MSF worked
- a detailed chronology
- MSF videos and extracts from the period

Some case studies have also been adapted into podcasts and online courses

Find all the MSF Speaking Out Case Studies materials here:

www.msf.org/speakingout/all-case-studies