

URGENT APPEAL TO THE MEMBERS OF THE UNITED NATIONS SECURITY COUNCIL
FROM AMNESTY INTERNATIONAL

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RUSSIAN FEDERATION: CHECHEN REPUBLIC

As the world celebrates Human Rights Day, it would be a shocking message for the Security Council to send if it were to remain silent as one of its Permanent Members prepares to indiscriminately attack a city, having argued that it is enough to have warned the civilians to leave.

On the 17 September 1999, the United Nations Security Council adopted unanimously Resolution 1265(1999) on the protection of civilians in armed conflict. That resolution unequivocally reaffirmed the Council's primary responsibility under the Charter of the United Nations for the maintenance of international peace and security and expressed "its deep concern at the erosion in respect for international humanitarian, human rights and refugee law and principles during armed conflict, in particular deliberate acts of violence against all those protected under such law, and express[ed] also its concern at the denial of safe and unimpeded access to people in need."

On 6 December the Russian Government, a Permanent Member of the UN Security Council, issued an ultimatum to all those remaining in Grozny to leave by 11 December to avoid death.

In the light of this ultimatum, Amnesty International is calling on the UN Security Council to immediately fulfil its responsibility under the UN Charter and remind all parties to the conflict in the Chechen Republic of their obligations to abide by international humanitarian law and with the terms of Resolution 1265(1999), in particular operative paragraph 2, which "Strongly condemns the deliberate targeting of civilians in situations of armed conflict as well as attacks on objects protected under international law, and calls on all parties to put an end to such practices."

The Security Council should call on the Russian authorities to abide by the provisions of Protocol II Additional to the Geneva Conventions to which the Russian Federation is a party and, therefore, refrain from attacking those civilians who remain in Grozny after the deadline -- whether they are too old, sick, wounded, poor or scared to leave the city or have not even heard about the warning -- as they are not taking a direct part in hostilities and as such are protected from attack.

The Russian authorities cannot condemn civilians to certain death by labeling them as "terrorists and bandits".

Protocol II of the Geneva Convention states clearly that "the civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited." (Article 13(2))

Amnesty International is also urging the UN Security Council to call on all parties to the conflict to grant full, unhindered and safe access into Chechnya for UN humanitarian agencies and NGOs, to ensure the safety of any civilians wishing to leave Grozny along the so-called 'safe corridor', reportedly established by the Russian Federal forces.

The Security Council should also call upon all parties to the conflict in Chechnya to respect the status of humanitarian agencies and their staff - whether UN or NGO - and remind the warring parties of the provisions of the Convention on the Safety of United Nations and Associated Personnel of 1994, as well as relevant provisions of international humanitarian law.

Amnesty International also renews its call on the UN Security Council to establish an international investigation into allegations of violations of international humanitarian law in Chechnya to establish the truth and to identify those responsible.

There will be little to celebrate if on the eve of a new Millennium, the basic rights of men, women and children not taking part in the fighting are being reduced to ashes in Grozny.

Background

On 6 December Russian aircraft dropped leaflets over Grozny telling residents to leave the city before 11 December. "Only in this way will you be able to avoid death and save your city," one leaflet warns. Another leaflet reportedly states that Russian Federal armed forces will consider all those remaining in Grozny after the deadline to be "terrorists and bandits and will be destroyed by artillery and aviation." Estimates of the number of civilians remaining in Grozny range from 15,000 to 50,000.

Following the ultimatum, Amnesty International called on the Russian authorities to make an unambiguous public pledge to honour its commitment under international humanitarian law, in particular to respect the principle of distinction which obliges its forces to take all measures to distinguish between civilian and military targets. Russia's ultimatum to Grozny can in no way be considered a sufficient precautionary measure.

While Amnesty International takes no position on the reason for armed conflicts, or the resort to the use of force *per se*, it does call on all parties to a conflict to abide by international humanitarian law. The organization reports on and takes action against specific human rights abuses occurring in situations of conflict, including unlawful killing of civilians, detention without charge or trial, the torture, ill-treatment or extrajudicial execution of persons detained, including soldiers or other combatants who are *hors de combat*, the use of the death penalty, the taking of hostages or the "disappearance" or abduction of any person.

Amnesty International is deeply troubled by repeated reports that Russian forces have committed grave breaches of humanitarian law during the ongoing campaign in Chechnya, including a report that on 3 December Russian troops deliberately killed at least 40 civilians who were trying to flee Grozny in a humanitarian convoy. Russian authorities have denied the report.

Amnesty International today called on its members worldwide to organize continuous vigils on behalf of civilians in Grozny between now and Saturday, 11 December - - the deadline given for leaving the Chechen capital.