

Country/entity	Russia Chechnya
Region	Europe and Eurasia
Agreement name	Protocol of the Meeting of the Working Groups, Formed under the Negotiations Commissions, to Locate Missing Persons and to Free Forcibly Detained Persons
Date	10 Jun 1996
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Chechnya Conflicts (1991 - 2009)

The First Chechen War (1995 - 1997)

Following the collapse of the Soviet Union in 1991, relations between the Federal Russian government with the over 100 ethnic groups deteriorated as demands for autonomy became a major political issue. In March 1992, a federation treaty was drafted and by 1994 the treaty was signed between 87 of the 88 federal jurisdictions and central government, with Chechnya being the exception. The conflict erupted in 1991 following the death of the head of the Communist Party in Grozny when a faction of the USSR's dissolved military stormed Party Headquarters. Russian forces failed to re-take Grozny and in 1993 the Chechen Republic of Ichkeria announced its independence. Violence and discrimination preceded economic stagnation as non-Chechnens fled the region, and eventually an undeclared civil war broke out as the Chechen opposition attempted a counter-coup against the Chechen ruler Dzhokhar Dudayev. Following the dissolution of the Chechen Parliament in June 1993, a state of emergency was declared, and in December that year an other coup was attempted by the opposition. Issues of sovereignty spurred an assault by Russian troops in December 1994, marking the start of the first Chechen War wherein Russian troops faced four years of insurgency until a ceasefire was unilaterally declared in 1996. A peace treaty was signed in 1997 and Russian forces withdrew.

The Second Chechen War (1999 - 2004)

The inter-war period was marked by economic desolation, corruption and crime. Political polarization was rife, and religious extremism flourished. In August 1999, the Islamic International Brigade led by Shamil Basayev invaded the Russian Republic of Dagestan seeking to found an Islamic State, thereby sparking the Second Chechen War. In response, the Russian Federation began a bombing campaign against the Chechen government and eventually re-took Grozny. An insurgency began following the fall of the Chechen government and separatist attacks spurred an increasingly harsh response from the Kremlin. By 2006, the main separatist leaders had been killed, and the republic has been run by the pro-Russian government led by Ramzan Kadyrov since 2007.

Close

Chechnya Conflicts (1991 - 2009)

Stage Implementation/renegotiation

Conflict nature Government/territory

Peace process Chechnya peace process

Parties Russian Federation, signed for by K. Makhashev, Working Group Head;
The Chechen Republic, signed for by N. Bezborodov, Working Group Head
(not signed, three identical copies provided to mentioned officials).

Other mentioned individuals:

In the presence of Mr. Z. Kochoika,

Third parties	With the mediation of the OSCE Mission T. Guldemann
Description	Agreement provided for the establishment of a joint working group to locate missing persons and to free POWs and set date for exchange of 27 military personnel from each side.

Agreement document	RU_960610_Protocol of the Meeting on missing and detained persons.pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
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Disabled persons	No specific mention.
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Elderly/age	No specific mention.
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Migrant workers	No specific mention.
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Racial/ethnic/ national group	No specific mention.
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Religious groups	No specific mention.
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Indigenous people	No specific mention.
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Other groups	No specific mention.
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Refugees/displaced persons	No specific mention.
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Social class	No specific mention.
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Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family Page 2, 12. A joint effort shall be undertaken to locate burial sites, to exhume the remains of the dead, and to hand over such remains to their relatives.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	Page 2, 11. The prosecution of officials of either side for matters not connected with criminal offenses shall cease.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	Human rights and equality→Civil and political rights→Liberty and security of person Page 2, 11. The prosecution of officials of either side for matters not connected with criminal offenses shall cease.
Socio-economic rights	No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	<p>4. The Negotiations Commissions shall provide for the material and logistic requirements of the Joint Working Group (transport, office equipment and communications), in addition to ensuring that the members of the Joint Working Group are able to travel around the territory of the Chechen Republic on passes signed by the Commander of the Provisional United Forces, B. Tikhomirov, and the Chief of Staff of the Armed Forces of the Chechen Republic of Ichkeriya, A. Maskhadov.</p> <p>Page 2, 8. Questions pertaining to visits to sensitive facilities of the Ministry of Defence of the Russian Federation and of the Ministry of Internal Affairs of the Russian Federation and to other places of confinement of forcibly detained persons shall be resolved in accordance with the established procedure.</p>
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	<p>Justice sector reform→Criminal justice and emergency law→Reform to specific laws</p> <p>Page 2, 10. Both sides recognize that they regard instances of the abduction of persons with a view to their subsequent sale or use in exchanges as a criminal offense, and they are prepared to prosecute any persons committing such offenses.</p>
State of emergency provisions	No specific mention.

Judiciary and courts	No specific mention.
Prisons and detention	Page 2, 9. Arrangements shall be made for the issuance of orders by both sides calling for the cessation of the practice of detaining persons in a manner not provided for by law, including detentions based on lists and other documents of insufficient legal force. At the same time that questions connected with the release of forcibly detained persons are being resolved, screening centres and such other places of confinement of detained persons as are not provided for under the law shall be shut down.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	No specific mention.
National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	No specific mention.
Business	No specific mention.
Taxation	No specific mention.
Banks	No specific mention.

Land, property and environment

Land reform/rights	No specific mention.
Pastoralist/nomadism rights	No specific mention.
Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	No specific mention.
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	Page 2, 13. On 10 June 1996 an exchange shall be conducted involving 27 military personnel of the Interior Forces of the Ministry of Internal Affairs of Russia, seized on 31 May 1996, and an equal number of persons detained by the Federal side, on the basis of lists that have been turned over.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.

Prisoner release [Summary: The entire agreement deals with the release of prisoners.]

Page 1, Have adopted the following decision:

1. By 11 June 1996 a joint working group (hereinafter referred to as the Joint Working Group) shall be established to locate missing persons and to free forcibly detained persons.

Page 1, 5. The competence of the Joint Working Group shall extend to the location of persons who have been missing since 11 December 1994 and to the release of forcibly detained persons seized in the course of the armed conflict.

6. By 11 June 1996 the working groups shall exchange lists of forcibly detained persons.

7. The representatives of the Joint Working Group shall be guaranteed the possibility of visiting places where forcibly detained persons are confined.

Page 2, 8. Questions pertaining to visits to sensitive facilities of the Ministry of Defence of the Russian Federation and of the Ministry of Internal Affairs of the Russian Federation and to other places of confinement of forcibly detained persons shall be resolved in accordance with the established procedure.

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Vetting No specific mention.

Victims No specific mention.

Missing persons Page 1, 5. The competence of the Joint Working Group shall extend to the location of persons who have been missing since 11 December 1994 and to the release of forcibly detained persons seized in the course of the armed conflict.

Page 2, 10. Both sides recognize that they regard instances of the abduction of persons with a view to their subsequent sale or use in exchanges as a criminal offense, and they are prepared to prosecute any persons committing such offenses.

Page 2, 12. A joint effort shall be undertaken to locate burial sites, to exhume the remains of the dead, and to hand over such remains to their relatives.

Reparations Transitional justice→Reparations→Symbolic reparations
Page 2, 12. A joint effort shall be undertaken to locate burial sites, to exhume the remains of the dead, and to hand over such remains to their relatives.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory With the mediation of the OSCE Mission
T. Guldimann

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source INCORE, <http://www.incore.ulst.ac.uk/services/cds/agreements/pdf/rus5.pdf>
