



**Conseil économique
et social**

Distr.
GÉNÉRALE

E/CN.4/2004/G/32
29 mars 2004

FRANÇAIS
Original: ANGLAIS

COMMISSION DES DROITS DE L'HOMME
Soixantième session
Point 14 c) de l'ordre du jour

**GROUPES ET INDIVIDUS PARTICULIERS:
EXODES MASSIFS ET PERSONNES DÉPLACÉES**

Note verbale datée du 25 mars 2004, adressée au Haut-Commissaire des Nations Unies
aux droits de l'homme par la Mission permanente de la Fédération de Russie
auprès de l'Office des Nations Unies à Genève

La Mission permanente de la Fédération de Russie auprès de l'Office des Nations Unies et des autres organisations internationales à Genève présente ses compliments au Haut-Commissariat des Nations Unies aux droits de l'homme et a l'honneur de lui faire tenir ci-inclus les observations du Gouvernement de la Fédération de Russie au sujet du rapport du Représentant du Secrétaire général sur les personnes déplacées à l'intérieur de leur propre pays, M. Francis Deng (E/CN.4/2004/77/Add.2).

La Mission permanente de la Fédération de Russie demande que les observations* jointes soient distribuées à la Commission des droits de l'homme à sa soixantième session, en tant que document officiel au titre du point 14 c) de l'ordre du jour.

* Les observations sont reproduites telles qu'elles ont été reçues, dans les langues originales seulement.

Annexe

The Russian Federation is satisfied with the high level of co-ordination established with the institute of the Special Representative of the Secretary-General on internally displaced persons (IDPs) and confirms its readiness to further develop co-operation in the field of promotion and protection of the rights of IDPs.

The Russian side is grateful for the presentation of the report of the Special Representative of the Secretary-General on internally displaced persons, Dr. Francis Deng, E/CN.4/2004/77/Add.2 of 24 February 2004 and deems it appropriate to express the following comments thereon.

1. In general, the recommendations of the report are in line with the main activities of the bodies of the federal executive power, and those of the Chechen Republic and the Republic of Ingushetia, on the promotion of universally recognized human rights and fundamental freedoms with respect to IDPs, as well as measures on the rehabilitation of social, economic and political infrastructure of the region.

At the same time, aforementioned recommendations are one-sided and do not take into account the position of the Russian Federation on the necessity to transfer the activities of international humanitarian organization to the territory of the Chechen Republic.

2. Chapter I of the report contains the assessment of political situation in the Chechen Republic and its evolution (pp. 17, 18, 21, 22). This theme in the report is over-politicized, presented in one-sided and biased manner; special attention is given to the objective difficulties that Russia faces while resolving problems in the Chechen Republic; there is no information on achievements and progress in this field.

In particular, we consider as unacceptable the use in this report of such expressions and terms as "military intervention" (p.17), "strong opposition of Russia to the independence of Chechnya" (pp.22, 17).

A historical review is only permissible to the extent in which it is relevant to the mandate of the Special Representative, namely, IDP issues. Therefore, relevant provisions should be concise and exclude any political stand.

The Chechen Republic is a constituent entity of the Russian Federation. The Russian authorities are taking all the necessary measures in order to restore constitutional law and order in this constituent entity of the Russian Federation by political means.

The referendum on the Constitution of the Chechen Republic and elections of its President marked the establishment of the legitimate executive power in this constituent entity of the Russian Federation and allowed to continue the process of political settlement. Russian authorities created all the necessary conditions for the participation of IDPs in these elections, including those who live outside places of their permanent residence on the territory of the Chechen Republic.

The declaration that the elections were "not free and fair", contained in p.22 of the draft report, raises serious concern. Moreover, the mandate of the Special Representative of the United Nations Secretary-General on IDPs, as well as the framework of the visit performed to the Russian Federation do not include the assessment of legitimacy of elections.

3. Statistical data on the quantity and quality of the IDPs living on the territory of the Russian Federation (pp. 12, 20, 24) are based on the information of non-governmental organizations which is not in line with the official statistics.

At present, according to the information of the Federal Migration Service of the Ministry of Interior of Russia, there are about 45.5 thousand IDPs in the Republic of Ingushetia, of whom 4.5 thousand live in tent camps, 20 thousand in places of compact settlement, and the rest in the private sector. On the territory of the Chechen Republic, 28 temporary accommodation centers have been set up (in Grozny, Argun, Gudermes and elsewhere). As a rule, these are five-store dormitories for up to 3 thousand people. All the premises have electricity, heating, gas and drinking water. Many of the families, now temporarily in the Republic of Ingushetia, have their own intact houses and return to their places of permanent residence on their own, without filing official applications. Up to 15 thousand people for various reasons do not intend to return to Chechnya.

4. Taking into account the report provisions on the legal status of the Meshkhetian Turks in the territory of the Russian Federation, in particular in the Krasnodar krai (pp. 11, 13, 24), the Russian Federation believes that the estimates given can not objectively reflect the real state of affairs due to the fact that Special Representative did not visit the Krasnodars krai, and did not have any significant consultations on the matter. Furthermore, those estimates do not refer to the obligations of Georgia on the repatriation of the Meshkhetian Turks, which were undertaken by Georgia while joining the Council of Europe in 1999.

5. Paying special attention to the existing problems in the life of the IDPs in the Chechen Republic (articles 31, 37, 38), the report does not take into account the position of the Russian side on the necessity of revision of the quality and nature of humanitarian assistance provided by international humanitarian agencies, in particular the necessity to increase house construction on the territory of the Republic.

The Russian Federation considers that the reconstruction and building of houses in Chechnya is one of the main elements for creating conditions for voluntary return of IDPs to the places of their permanent residence. It will promote the transition from the emergency humanitarian aid to the assistance for sustainable development of the Republic. Compensation is being paid to all the families that fully lost their housing during the counterterrorist operation. Payments began in September 2003 and will be effected in 2004. The maximum amount for housing per family will be over 10.000 US dollars and additional 1.700 US dollars for property lost. By March 1, this year, a full list of recipients of financial compensation for destroyed housing and lost property has been drawn up and sent to the Federal Ministry of Construction for checking; and this May it will be confirmed as a final one.

6. We believe that the efforts of the Russian federal and regional authorities to stabilize social, economic and political situation in the Chechen Republic with regard to IDPs and to restore civil, political, including electoral, and cultural rights of those returning to Chechnya are not fully reflected in Chapter III of the report.

The report does not fully cover trends and contents of the latest developments, including the visit of Mr.Y. Egeland, Under-Secretary-General for Humanitarian Affairs, to Russia, the meeting of the Minister of the Russian Federation Mr.S.V.Iliasov with representatives of the international humanitarian organizations on 9 February 2004 and the negotiations with the President of the Republic of Ingushetia, Mr. M.M.Ziazikov, in Geneva in the context of the creation of environment favorable for the voluntary return of IDPs in conditions of safety and dignity (pp. 45, 50, 53).
