

Protocol of the Meeting of the Working Groups, Formed under the Negotiations Commissions, to locate Missing Persons and to Free Forcibly Detained Persons

Nazran, 10 June 1996

The working groups, formed under the Negotiations Commissions, to locate missing persons and to free forcibly detained persons, consisting of the following persons:

For the Negotiations Commission formed by order of the Government of the Russian Federation – N. Bezborodov, Working Group Head,

For the Negotiations Commission formed by order of the Cabinet of Ministers of the Chechen Republic of Ichkeriya* – K. Makhashev, Working Group Head,

In the presence of Mr. Z. Kochoika,

For the purpose of implementing paragraph 2 of the Agreement signed by V.S. Chernomyrdin and Z. Yandarbiev on 27 May 1996 in Moscow,

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.
2. Six persons from each side shall make up the Joint Working Group.
3. The Joint Working Group shall be quartered in Grozny in specially assigned premises.
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.
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.

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.
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.
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.
11. The prosecution of officials of either side for matters not connected with criminal offenses shall cease.
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.
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.

This Protocol has been drawn up in three authentic copies.

Working Group Head

N. Bezborodov

Working Group Head

K. Makhashev

With the mediation of the OSCE Mission

T. Guldimann

* The Negotiations Commission formed by order of the Government of the Russian Federation states that the Chechen Republic of Ichkeriya is not recognized under the legislation of the Russian Federation.

Source: Transitional Justice Peace Agreements Database (University of Ulster, Transitional Justice Institute, Incore)