

RESOLUTION

on establishing the Natalia Estemirova Documentation Center

We, representatives of national and international non-governmental human rights organizations,

Considering that in the course of the armed conflict in the Chechen Republic and adjoining regions of the North Caucasus, all sides to these hostilities have committed and continue to commit grave, large-scale and systematic violations of human rights, international humanitarian law and international criminal law;

Convinced that achieving and maintaining a lasting peace in the North Caucasus is impossible without justice, the establishment of truth and the preservation of a factual history about the circumstances of the armed conflict and of the fate of its victims;

Stating that the Russian Federation has so far been unable or unwilling to efficiently investigate these violations, and that due to this lapse hundreds of thousands of men and women continue to be deprived of justice, while perpetrators continue to enjoy impunity, a situation which perpetuates a cycle of violence;

Mindful of the need to restore the rights of victims;

Assuming that supporting victims of the conflict in their search for truth and justice will help to bring about a change of public opinion regarding the events in the North Caucasus, as well as to put an end to the cycle of violence, and serve as a basis for preventing further crimes;

Recalling the Resolution 1323 adopted by the Parliamentary Assembly of the Council of Europe (PACE) in 2003, in which the Assembly stated that "...if the climate of impunity in the Chechen Republic prevails, the international community should consider setting up an ad hoc tribunal to try war crimes and crimes against humanity committed in the Chechen Republic;"

Supporting the recommendation made by PACE to the Committee of Ministers of the Council of Europe in June 2010, in which it urged the Committee to: “consider creating, within the Council of Europe and with the collaboration of non-governmental organizations working in this field, a record-keeping system for the witness statements, documents and evidence substantiating human rights violations committed in the region, in the firm belief that genuine lasting conciliation has to be attained through an effort of recollection and truth;”

Taking into account that as yet there exists no unified, comprehensive and up-to-date information base of violations committed in the North Caucasus and that no complete record of crimes committed is available, which further undermines the fight against impunity;

Decide to cooperate on in the establishment of the Natalia Estemirova Documentation Center for collecting and storing records of violations of human rights, international humanitarian law and criminal law in the North Caucasus and rendering this information accessible to interested persons, organizations and the public.

Article 1

The Documentation Center is a depository of information dedicated to the cause of eliminating impunity, promoting the rule of law, establishing peace and justice in the North Caucasus, preserving historical memory, and assisting victims of the conflict in their search for justice. The Documentation Center makes information regarding violations of human rights, international humanitarian law and criminal law in the North Caucasus accessible to interested persons, organizations and the public, but the Documentation Center and information donors may restrict access and reproduction of materials under certain conditions as stated in the special Annexes to the Resolution.

Article 2

In order to achieve the above-mentioned objectives, the Documentation Center:

a. Gathers, stores, systematizes and disseminates information concerning grave violations of human rights, international humanitarian law and criminal law in the North Caucasus, as well as other kinds of information of historical interest;

- b. Facilitates the search for truth with regard to such violations and other events related to the armed conflict in the Chechen Republic and adjacent regions;
- c. Assists national and international non-governmental organizations to consolidate their efforts to protect human rights in the North Caucasus;
- d. Interacts with all governmental, inter-governmental and non-governmental actors, for example national and international courts, law enforcement agencies, universities and research institutions, that may be instrumental in establishing and promoting truth and justice for the region;,
- e. Supports and assists academic research in various disciplines, such as contemporary history, sociology, anthropology, and international law.

Article 3

The signatory organizations of the present Resolution are the initiators of the Documentation Center. They delegate their authority to the Norwegian Helsinki Committee to establish the Documentation Center in Norway as an independent association in accordance with international norms and Norwegian legislation. This resolution expresses the intention of the signatory organizations to support the establishment of the Center.

Article 4

The Norwegian Helsinki Committee undertakes to formally register the Documentation Center. On the basis of bilateral agreements between the Committee and the Center, and in accordance with this resolution, it also undertakes to assist in the establishment and development of the Center, as well as to provide technical and material support, including personnel, who will initially manage the everyday operations of the Center.

Article 5

The signatories may, if they wish, delegate a representative to be a member of the Advisory Board of the Documentation Center.

Article 6

In accordance with Norwegian law, the Center will be an independent association established to fulfill the purposes set forth in this Resolution. The founders and governing board of the Center will, according to Norwegian law, be members of the Norwegian Helsinki Committee.

Article 7

After the expiry of two years from the founding date of the association, the advisory board and the Norwegian Helsinki Committee may propose to reconsider the legal status of the Documentation Center with a view to its further development.

Article 8

The signatory organizations to the present Resolution may contribute to the Documentation Center any documents at their disposal related to violations of human rights, international humanitarian law and criminal law in the North Caucasus committed since 1991. Data shall be transferred to the Center in accordance with the relevant national legislation in force.

Article 9

The process for transferring information to the Center will be stipulated in bilateral agreements between the Documentation Center and organizations and individuals contributing information to the Center.

The special Annexes to this Resolution further set out a proposal for the structure of the Documentation Center, as well as the reciprocal rights and obligations of its participants and the rules of transfer, receipt, storage, and access to information.

Article 10

We name the Center after Natalia Estemirova, our colleague and friend, an outstanding human defender abducted in Chechnya and killed on 15 July 2009.

We call upon all organizations and all persons who possess information on grave crimes committed in the North Caucasus in violation of established international norms, as well as victims and witnesses of these crimes, to contribute to the Natalia Estemirova Documentation Center.

Oslo, 22 September 2010

The Society of Russian-Chechen Friendship, Finland

Centre de la Protection Internationale, France and Russia

Memorial Human Rights Center, Russia

Stichting Russian Justice Initiative, Netherlands and Russia

Interregional Committee Against Torture, Nizhny Novgorod

Civil Rights Defenders, Sweden

The Norwegian Helsinki Committee

Human Rights Watch

International Federation for Human Rights (FIDH)