

## Bulletin of Memorial Human Rights Center

### The situation in the zone of conflict in the Northern Caucasus: an evaluation by human rights activists

Spring 2011

*Memorial Human Rights Center is continuing its activity in the North Caucasus. We offer our regular Bulletin: a brief description of the main events of the three spring months of 2011, some generalisations and tendencies of the situation's development. While preparing the Bulletin, materials gathered by members of Memorial Human Rights Center in the North Caucasus and published on the Memorial's site, as well as reports of mass media have been used.*

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#### *The situation in Kabardino-Balkaria*

Despite a multitude of gloomy forecasts about the inevitable - as it seemed recently – the slipping of Kabardino-Balkaria into a smoldering but cruel subversive-and-terrorist war, the republican authorities and power departments managed to administer a number of serious blows on insurgents operating in Kabardino-Balkaria, and some independent observers have even started talking about the rebels' real defeat.

As it was already reported in the previous Bulletin, *in the middle of March 2011* Chief of the Investigation Department of the Investigating Committee in the Republic of Kabardino-Balkaria, **Valery Ustov**, was estimating forces of local insurgents to be 60 people, underlining that there are 52 persons wanted. President of the Republic of Kabardino-Balkaria, **Arsen Kanokov**, declared in his interview to the newspaper “Kommersant” that 70 persons on the wanted list for their involvement in the terrorist and extremist activity (“Kommersant”, 14.04.2011). It turns out that a numerically small group of armed undergrounders was able to keep law enforcement officers, businessmen, and

common people in awe. It was happening in the republic that is much better-to-do in social and economical terms, as compared to the neighbours.

For the first two months of 2011, 11 law enforcement officers were killed and 15 more wounded (*"Gazeta Yuga"*, 17.03.2011). 29 % of murders that have been committed in the Republic since the beginning of 2011, to all appearance, were perpetrated by members of the underground (*RIA Novosti News Agency*, 13.04.2011). In the beginning of 2011, V.Ustov admitted that the underground's tactics of committing crimes had considerably changed; their offences had become more massive, more carefully prepared, involving a greater number of victims (*"Gazeta Yuga"*, 17.03.2011).

The insurgents are well-armed: just in the past year 50 units of weapons were stolen when attacking officers of the Ministry of Internal Affairs, and some certain quantity of arms was taken away from military units after the events in South Ossetia. Utilising a huge shadow segment of Kabardino-Balkarian business (manufacture of vodka, tourism), the insurgents have mastered racket, just slightly masking it with their Muslim rhetoric. However, not a single fact of the insurgents' blackmailing of businessmen has been proved in court so far, and no evidence has become an object of investigation either. The reason is this: no businessmen have lodged an application (*"Kommersant"*, 14.04.2011). It is interesting to note that the motive of the criminal tribute prevails in the opinion of local residents as well when the matter concerns the burning-up of shops and some other deliberate damage of property of businessmen, committed by the "people from the woods" (*"Gazeta Yuga"*, 28.04.2011). Not only businessmen but also representatives of various governing institutions, including high-ranking officials, are subjected to racket by members of the extremist underground. Thus, for instance, two young men were detained who were extorting 6 million roubles from a judge of the Tersky District Court **on 28 February 2011**. It is known that head of the administration of the large Kabardian settlement of *Zayukovo* was subjected to extortion too. (*"Gazeta Yuga"*, 03.03.2011).

A.Kanokov had to deny the rumours circulating in the Republic that he himself – a person who is exceptionally well-to-do, to some knowledge even a multi-millionaire - was paying tributes to gangsters (his official income in 2010 made 87 million roubles) (*"Kommersant"*, 04.04.2011, the site of President of the Republic of Kabardino-Balkaria, 11.04.2011).

Apart from the general destabilisation of the socio-political situation, actions of criminals can give up the dynamic progressive social and economic development of Kabardino-Balkaria as a bad job. First of all, the activity of the insurgents has stricken a blow on one of the main branches of the economy of the Republic, namely the tourist industry. Tourist business which is developing somewhat chaotically but actively, gives jobs to many thousands of people. Unlike the neighbouring republics, where - in connection with a long-term war – both the tourist and sanatorium-and-resort spheres have practically disappeared, in Kabardino-Balkaria there function tens of sanatoria, boarding houses, tourist, mountain-climbing and mountain-skiing bases, children's recreation camps. Private hotel business (there are more than 30 private hotels in the Republic) is being actively developed for the needs of tourists. Losses are borne not only by departmental medical-and-resort establishments and private enterprises, but also by thousands of common citizens who profit – as hard as they can – by servicing visitors (taxi-drivers, owners of roadside cafes, small traders, handicraftsmen, experts of national crafts and so forth).

Just a while ago, the high-mountainous resorts of Kabardino-Balkaria entertained two hundred thousand people annually, and now they are empty. After the execution of a group of Moscow tourists on **18 February 2011**, they introduced a state of counterterrorism operation **on 20 February** on the whole territory of the *Elbrusky* and on part of *Baksansky District*, and an analogous state has been established on part of the territory of Nalchik, in its suburbs, as well as in six settlements of the *Chegemsky* and in one settlement of the *Chereksky District* since 27 February. Nevertheless, tourists yet kept going to Kabardino-Balkaria for some time, but at their own risk. However **on 16 April**, their access to the majority of tourist facilities in the operative range of the state of counterterrorism operation was directly forbidden (*"Kavkazsky Uzel"*, 16.04.2011; 30.05.2011).

As a result, the tourist business in the vicinity of the Mount Elbrus is sustaining some serious losses (*"Kavkazsky Uzel"*, 16.04.2011). The new rope-way blown up **in February 2011** has not been functioning till now; only the old one operates. The resorts will open in the season of **2012/2013** at best. As a result there appear various "conspiracy theories". For example, many inhabitants and businessmen working in the sphere of tourism, are just confident of the fact that "someone big and strong in the Kremlin was interested in channeling monetary streams towards *"the Krasnaya*

*Polyana*” [red meadow], i.e. Sochi (“*Kavkazsky Uzel*”, 30.05.2011). There exists an opinion among representatives of the Balkarian public that the point of the state of counterterrorism operation is exactly directed against their low-profile business and represents one more act of discrimination from the Kabardian ethnos which is dominating numerically and politically. However, in practice, losses from the continuing counterterrorism operation are borne by everyone, and the regime of counterterrorism operation is not being exercised merely in the Balkarian areas. The Republic has announced 27 large-scale projects within the framework of the Federal Program of the Development of the North Caucasian Federal District, a considerable part of which concerns the sphere of tourism, and their implementation is under threat (“*Kommersant*”, 14.04.2011).

On the whole, the law-enforcement system of the Republic of Kabardino-Balkaria has proved to be not ready to such a drastic challenge, which fact was repeatedly admitted by Head of the Republic A.Kanokov and **S.Vasilyev**, recently appointed Minister of Internal Affairs of the Republic of Kabardino-Balkaria. It seemed that the succession of events in the Republic followed the already customary scenario when mutual violence is unfolding in the form of a spiral, dragging more and more broad masses of people into its turmoil.

**In the middle of April**, proceedings were initiated with regard to six leaders (“emirs”) of the criminal organisation “United Vilayat of Kabarda, Balkaria and Karachaya” led by Asker Dzhappuev (“valiya”) according to Part 1 of Article 282.2 (organisation of the activity of an extremist organization), and with respect to five more suspects in keeping with Part 2 of Articles 282.2 (involvement in the activity of an extremist organisation) of the Criminal Code of the Russian Federation (*RIA Novosti News Agency*, 15.04.2011).

During the spring, the authorities managed, to all appearance, to change the situation to their own advantage. It may be assumed that the inevitably approaching Olympic Games in Sochi have forced the federal authorities to dispose of the terrorist underground in the underpinning of the the Olympic complex at any cost.

As of **the beginning of June**, the state of the counterterrorism operation was not withdrawn. Some additional contingents of internal troops were dispatched to the Republic of Kabardino-Balkaria, and the operative-and-investigatory staff of the Ministry of Internal Affairs of the Republic of Kabardino-Balkaria was strengthened at the expense of the placement of officers on detached service. The total number of the federal strengthened force is not clear. Only some general figures were made public. Thus, S.Vasilyev, Minister of Internal Affairs the the Republic of Kabardino-Balkaria, while speaking in the local parliament **on 26 May**, declared that “*some additional forces apart from local agents of national security from among mobile reserve forces of the Ministry of Internal Affairs of Russia on the North Caucasian Federal District and internal troops numbering 200 men participate in special actions against insurgents*” (“*Kavkazsky Uzel*”, 09.6.2011). In the same time period, in the beginning of March, Chief of the General Staff of Internal Security Troops of the Ministry of Internal Affairs, **S.Bunin**, informed that in connection with the unstable situation in the Republic of Kabardino-Balkaria and the Republic of Dagestan 6 thousand servicemen of internal security troops were transferred to these republics in March 2011 (“*Novoye Delo*”, 28.03.2011). It is only clear that the strengthening has followed two lines of the activity of law-enforcement agencies, namely operative-and-search and operative-and-combat (*RIA Novosti News Agency*, 11.06.2011). In the first case, professional detectives are employed and in the second one - divisions of internal security troops and special fighting divisions.

According to representatives of law enforcement agencies, in the period from the beginning of the year till the beginning of June 37 insurgents were annihilated and 32 persons detained (*RIA Novosti News Agency*, 11.6.2011). A number of leaders of insurgents, as well as some persons suspected of their involvement in the most talked-of attacks were annihilated. In particular, according to messages of power structures, one of the two insurgents who were suspected of the execution of the Moscow tourists at the entrance of *the village of Zayukovo* **on 18 February 2011** was killed. (“*RosBusinessConsulting*”, 20.04.2011). Lastly, **on 29 April** law enforcement agencies managed to dispose of the top of Kabardino-Balkarian insurgents *in the settlement of Progress of Stavropol Territory* at the administrative border with the Republic of Kabardino-Balkaria. They were often spotted in recent times on extremist websites with their bellicose statements. Among them were “Valiya of the Vilayat of the Republic of Kabardino-Balkaria” **Abdullakh (Asker Dzhappuev)**, “Emir of the North-East Sector” **Abdul Dzhabbar (Kazbek Tashuyev)**, “Emir of the South-West Sector” **Zakariya (Ratmir Shameyev)**, **Abdul Gafur (Aslanbek Khamurzov)**, “Naib of Emir”

**Abdul Dzhabbar.** *On 10 May*, a certain **Astemir Mamishev** was killed in Nalchik, whom law enforcement agencies considered to be one of the most cruel Kabardino-Balkarian insurgents, who had personally committed a long series of notorious murders, including that of Mufti of the Republic, Anas Pshikhachev, in December last year (*"Gazeta Yuga"*, 12.05.2011). In the middle of June, the results of a forensic medical examination were announced, which confirmed the deaths of Dzhabbayev, Tashuyev, Shameyev, Mamishev and others. (*"Kavkazsky Uzel"*, 16.06.2011). And *on 22 May*, the 42-year-old **Buzdzhigit Khadzhiyev**, "Emir of the North-West Sector of the Vilayat of the Republic of Kabardino-Balkaria", was annihilated in *the Elbrusky District*. According to the edition "Kommersant", it was Khadzhiyev who was to become a leader of Kabardino-Balkarian insurgents after the elimination of Dzhabbayev and Tashuyev (*"Kommersant"*, 24.05.2011; *the website of the National Anti-Terrorist Committee*, 23.05.2011)

The fact that the potential of the underground has essentially diminished is testified by the number of armed attacks in spring substantially reduced. Thus, the first attack on a law enforcement officer - after the announcement of the state of counterterrorism operation in a number of districts of the Republic of Kabardino-Balkaria and in the city of Nalchik on 25 February - occurred only two months later, namely *on 25 April* (*"Gazeta Yuga"* 28.04.2011). As of the beginning of June, in the section "Search" on the website of the Ministry of Internal Affairs on the Republic of Kabardino-Balkaria, there were posted some photos of 24 especially dangerous criminals (in winter there were 34). Totally in spring of 2011 2 agents of national security perished and 3 men wounded in clashes with insurgents. For comparison, according to our calculations, in autumn of 2010 13 representatives of law-enforcement structures were killed and 15 men wounded, as a result of attacks by bandits; in the winter of 2010/2011 14 men were killed and 17 wounded. During the whole year of 2010, 32 agents of national security perished and 46 men wounded in the Republic of Kabardino-Balkaria.

All this allowed President of Kabardino-Balkaria, A.Kanokov, to declare quite soundly at a session of the regional parliament *on 18 April* that "*for the last two months, with the active support of federal authorities and law enforcement structures, we managed to considerably stabilise the socio-political and criminogenic situation in the Republic*" (RIA Novosti News Agency, 18.04.2011).

However, in the beginning of summer of 2011 indices of losses among agents of national security in Kabardino-Balkaria again began to crawl upwards: in June alone 5 men (three of them senior officers) were killed and 8 men wounded. The most of attacks of insurgents occurred in *the Elbrusky and Baksansky districts*. In June 2011, Chief of the Main Directorate of the Ministry of Internal Affairs of the Russian Federation in the North Caucasian Federal District, **S.Chenchik**, characterised the criminogenic situation in Kabardino-Balkaria as the most complicated, along with that of Dagestan (RIA Novosti News Agency, 11.06.2011). The near future will show whether the new burst in the activity of insurgents in Kabardino-Balkaria is a sign of the fact that they managed to reform their ranks and made up their heavy losses, or the matter concerns only some short-term outbreak of violence.

As to the tactics of the struggle against the extremist underground, the Kabardino-Balkarian authorities have not invented anything new: power operations in the course of which, as is customary, "eggs are broken" are combined with the active propaganda activities of the authorities among the population and the parents of insurgents. On the whole, the line of action of the republican authorities more and more reminds one of the scenario that is being implemented in Ingushetia in recent years: special pin-point actions aimed at the annihilation of assumed insurgents (the majority of those who went away to "the woods" are known by their names) are combined with the same type of pin-point work with their relatives, as well as with the circle of persons who are able to render some sort of assistance to insurgents. In this regard, the rigid enough rhetoric does not nevertheless turn into an open state-sponsored terror with respect to the parents of insurgents as it occurs in the Chechen Republic. The authorities of the Republic of Kabardino-Balkaria do not deem it necessary yet to speak about the necessity of wide national dialogue as in Dagestan where there exists a relatively numerous Salafite layer and where the population is politically active and where there prevails influential independent press.

It is characteristic that a single attempt to date to carry out a nation-wide action – the Forum "People of Kabardino-Balkaria against Terror" – has not been yet held (the order was signed by President of the Republic of Kabardino-Balkaria *on 31 March 2011*, and its carrying out was planned for April; the presumptive membership of participants: "*representatives of political parties, public, religious, youth associations, organisations and movements; representatives of the Public Chamber of*

*the the Republic of Kabardino-Balkaria and of agencies of state authority and local government” – the website of President of the Republic of Kabardino-Balkaria, 01.04.2011).*

The truth is that some administrative measures for the purpose of the vindication of the power in the eyes of the population have been taken. **On 4 April**, the Republic’s Government was dismissed. No disagreements were voiced with respect to the Government and its Chairman **Alexander Merkulov**; on the same day Merkulov took up his duties in the Government of the Volgograd Region (*“Kommersant”*, 14.04.2011). Instead, some new requirements were clearly designated for the new Chairman of the Government, **Ivan Gerter**. By tradition, Chairman of the Government of the Republic of Kabardino-Balkaria is to be Russian (in the present case Chairman is Russo-German), but this time he is a native of Kabardino-Balkaria (Merkulov was connected with North Ossetia by his origin and career). *“The work with the youth, the information block and, in general, all tools of the mobilisation of the public against extremism were assigned to the new Government as a priority task. Here are some defects, indeed”*, A.Kanokov declared (*“Kommersant”*, 14.04.2011). *“The policy carried out by the new Government, in the first place, should be socially focused”*, I.Gerter said at a parliament session (*RIA Novosti News Agency*, 18.04.2011).

The authorities strive to attract the citizens to the struggle against the terrorist underground in every possible way. The population is called upon to watch the neighbours closely, especially those who have recently arrived (*the site of President of the Republic of Kabardino-Balkaria*, 10.05.2011). A special attention is given to businessmen, whose involuntary help to insurgents creates a material basis for the activity of insurgents. It is interesting to note that the authorities are inclined to make victims themselves to be responsible. Such an accusation was voiced **in March, 2011** at a press conference of V.Ustov, Chief of the Investigation Department under the Investigating Committee of the Republic of Kabardino-Balkaria. Later on, it was worded by **A.Khloponin**, Representative of President in the North Caucasian Federal District, who declared to journalists that he did not only consider the businessmen who pay tribute money to insurgents *“as direct accessories but as persons responsible for those murders which took place on the territory of this region”* (the Elbrusky District of the Republic of Kabardino-Balkaria is meant here). (*RIA Novosti News Agency*, 31.03.2011). While enlisting businessmen among accomplices of criminals, representatives of bodies of power proceed from a postulate: *“Everyone knows everything about someone else but everyone keeps silent”*. (*“Gazeta Yuga”*, 07.04.2011).

On the whole, the style of the communication of the authorities with the population is rather straightforward, simple and resembles Soviet propaganda. It is interesting to note that President of the Republic of Kabardino-Balkaria does not intend to debate with supporters of radical Islam, relying on essentially Soviet-type propaganda and agitation methods: *“I am not an expert in Islam ... I may come to a village, have a talk with believers, but I am a secular person... It takes someone a second to escape to the woods. And in order to build the whole policy of propaganda and agitation and then select personnel and check the implementation of some personnel affairs everywhere in villages, one must believe very firmly that one acts correctly”* (*“Kommersant”*, 14.04.2011). Once he admitted that representatives of executive power have no idea at all about what can be done in this sphere: *“nobody has clearly stated to us which propaganda must be spread by the authority”*, A.Kanokov declared in the Public Chamber of the Russian Federation **on 12 April** (*the website of the Public Chamber of the Russian Federation*, 12.04.2011).

Local authorities undertake numerous and various attempts to attract the parents of insurgents to cooperation. Several times for the last months, President of the Republic of Kabardino-Balkaria addressed insurgents and members of their families with an appeal to come out of “the woods” and lay down arms. In the end of the winter, **on 25 February**, A.Kanokov met the parents of six insurgents, having promised to ensure a public and objective investigation and fair trial in case of the insurgents’ voluntary appearance in the law enforcement agencies. It was promised that people of authority, rights advocates, independent lawyers and mass-media representatives would observe the course of the investigation and judicial proceedings. (*RIA Novosti News Agency*, 22.03.2011). **On 12 April**, in a round table discussion in the Public Chamber of the Russian Federation, devoted to problems of Kabardino-Balkaria, A.Kanokov declared: *“I have a list of 70 families (of those young people who are on the wanted list and who are suspected or were suspected of having relation to radicals). I will meet with every family and take pains for them to return”*. Head of the Republic promised that all citizens innocent of crimes would be declared not guilty and those who are guilty would get minimal terms, whereas the investigation would be conducted within the framework of law. *“If we managed to*

*bring at least one person back to normal life in the society, it would be just very good”, A.Kanokov underlined (RIA Novosti News Agency, 13.04.2011).*

At a regular meeting with the parents of insurgents **on 17 May**, Arsen Kanokov informed the parents that a commission is being established in the Republic of Kabardino-Balkaria for the adaptation of insurgents and their come-back to normal life, obviously it is similar to the one which is already working in Dagestan. *“I guarantee that there will be not any lawlessness committed in their case”, A.Kanokov promised (“Komsomolskaya Pravda”, 18.05.2011).*

The parents of insurgents turned out to be in an ambiguous situation, being in earnest afraid of a revenge on the part of the insurgents who are notorious for their cruelty and ruthlessness and at the same time under pressure on the part of the authorities. Apart from direct administrative pressure emanating from representatives of executive power and agents of national security, the Republic's Parliament came out in support of a legislative initiative to make amendments to the Criminal Code of the Russian Federation regarding the toughening of punishment for concealing crimes, also to extend the administration of punishment to near relations of criminals, as well as introduce legal procedures concerning misprision of crime into the Criminal Code (*“Kommersant”, 01.04.2011; “Novaya Gazeta”, 03.04.2011*). However, this initiative was not approved at the federal level because it would demand that one of the articles of the Constitution of the Russian Federation should be revised, which assigns the right not to testify against oneself and one's relatives to citizens of the Russian Federation. The so-called “black hawks” – a certain group of “people's avengers” – proved to be some kind of “the third force”, who also expressed their threats to the parents of insurgents last winter. They declared their readiness to revenge insurgents using terrorist methods. The appeals of “the hawks” on the Internet caused a big response this winter; “the hawks” even gained some undisguised adherents among representatives of federal authorities, who declared that they at least “understood” the methods of “the hawks” if not accepting them. However, in the spring and summer of 2011 “people's avengers”, who frightened relatives of insurgents in real earnest, did not show up.

As a result, being at once between three fires, only 11 out of 70 families of insurgents dared to address their sons via mass-media (*“Kommersant”, 23.03.2011*). **On 22 March**, a group of parents from the Baksansky District called upon their sons to lay down arms and surrender to law enforcement agencies. However their letter remained anonymous: under different pretexts the parents refused to sign it and declined to speak publicly on television likewise.

But time does not wait for anyone, in a literal sense. Law enforcement agencies carry out their work systematically, the same as their counterparts in the neighbouring republics, paying little attention to peace-making initiatives of heads of republics. In the time after the meeting of the parents with President the Republic of Kabardino-Balkaria, two insurgents were killed **on 25 February**, whose parents A.Kanokov was meeting. While the families of the insurgents of the Baksansky District reflected, whether they should speak on television, a son in one of the families was annihilated (*“Gazeta Yuga”, 24.03.2011, RIA Novosti News Agency, 22.03.2011*).

The plan to call upon the insurgents to lay down their arms proved to be ineffective due to a lack of coordination in intentions and actions of the Republic's various branches of power, as well as in the activity of power structures. According to M.Abubakarov, a lawyer working in the Republic, some recent actions taken by agents of national security have seriously discredited the civil government. Thus, against the background of an idea of conducting negotiations with the insurgents who are ready to lay down arms, which was snatched up by civil authorities, agents of national security, on the contrary, activated their work aimed at instituting criminal procedures against the former insurgents who were amnestied after the second Chechen war campaign. *“My two defendants, Karasov and Bulgarov, were detained and are being kept now in the Yessentuksky Temporary Detention Facility though they had voluntarily come out of “the woods” in due course, and a promise to terminate any prosecution was made to them”, M.Abubakarov said in his interview to “Kommersant”.* According to this defence lawyer, a renewal of cases against amnestied insurgents creates a lot of problems for the local authorities: “On the one hand, the authorities declare that the insurgents should come out of “the woods”, and promise indulgence to them, and on the other hand they show to those who are ready to leave “the woods” what is there in store for them in the reality: searches, arrests, courts, intimidations of their families” (*“Kommersant”, 14.04.2011*). The result is that there is no news in the Republic of Kabardino-Balkaria about insurgents who have voluntarily laid down arms.

For some years already, President of Ingushetia Yu.-B.Yevkurov has failed to restrain the agents of national security: there proceed abductions, episodes of torture, out-of-court executions of persons

suspected of appurtenance to illegal armed groups. The same things are seemingly happening in Kabardino-Balkaria as well: President of the Republic gives “a guarantee against lawlessness”, whereas uncertain law enforcement agencies continue to abduct, torture and kill. Some materials concerning several such cases appeared to be at the disposal of Memorial Human Rights Center. Thus, *on 8 April*, some police officers abducted an inhabitant of *the town of Baksan*, Aslan Berkhamov. He was taken out to the field, tortured for some hours

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/04/m245107.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/04/m245107.htm)) and then released. And an inhabitant of the city of Nalchik, Amir Kasimov, was shot in the street *on 13 April*, after that it was declared that a bomb had been found in his car. His car was blown up and burnt down, and now it does not seem possible to find out anything about the circumstances of the incident

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/04/m246093.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/04/m246093.htm)). *On 24 April*, in the city of Nalchik, a certain Murat Klishev who was forced to sign some evidence by torture, which he had not given. A medical examination of M.Klishev, which was carried out a few days later, confirmed the fact that he had been beaten and subjected to torture using electric current. Next day, *on 25 April*, a local resident Rustam Dikinov was detained under similar circumstances in the city of Nalchik. He was not let to go for a long time, with a package put on his head. During that time, as R.Dikinov asserted in his application lodged with Memorial Human Rights Center, they stealthily placed a grenade next to him and then withdrew it in the presence of some attesting witnesses. A certain Admira Tashuyeva, wife of a person detained *on 12 May* in *the settlement of Chegem-2*, also lodged a complaint about the person’s having been subjected to torture.

### ***The continuation of judicial proceedings in Nalchik. Violence in Pre-Trial Detention Centre-1 of Nalchik***

In Nalchik, there continues a judicial trial of some accomplices in an attack on the city *in October, 2005*. It is a reminder that during the investigation which was carried out by the Central Administration of General Prosecutor’s Office of the Russian Federation in the Southern Federal District, criminal proceedings were instituted against 59 persons; 13 accused persons were released from criminal prosecution because it was terminated due to an amnesty; the same was performed in the case of 95 persons in connection with their death. 14 more accused persons are on the wanted list.

59 defendants are incriminated in more than ten crimes including in terrorism, banditism, armed rebellion, involvement in the activity of an organized criminal community, encroachment on the life of law enforcement officers, murders and other grave and very serious crimes as well. One defendant died from a severe illness during the process. Two more – **Kazbek Budtuyev** and **Zalim Ulimbashev** – were released by the court the other day on their own recognizance (Z.Ulimbashev was set free because of his state of health and K.Budtuev was released in connection with a tenuity of the evidence basis of his fault; a witness who gave some evidence against him disclaimed it in court, and lawyers produced evidence of K.Budtuyev’s alibi). Every three months, the court extends the term of the holding of the rest of 56 defendants in custody for three months (last time the term was prolonged *on 21 March 2011* till *26 June* – “*Gazeta Yuga*”, 24.03.2011).

The judicial hearings proceed from the consideration of one episode to another; the hearing of the files of a case, the interrogation of complainants, witnesses and accused persons in each of the episodes takes from several weeks to several months. In winter 2011 and in March they were considering an episode concerning an attack on the 3-rd Internal Affairs Department of the city of Nalchik. *On 29 March*, they began the reading of an episode of an attack on the position of the Special Designation Police Detachment of the Ministry of Internal Affairs of the Kabardin-Balkarian Republic.

According to files of this case, a group that attacked the Special Designation Police Detachment included 16 persons, the most part of it consisted of inhabitants of *the village of Nartan*. A former prisoner of the American prison of *Guantanamo*, **R.Odizhev**, headed it. In the course of the military clashes, six persons were killed and others disappeared, but within several days eight of the attackers were detained, and they found themselves in a prisoner’s dock. R.Odizhev was on the wanted list and was killed *on 26 June 2007* during a special operation in the city of Nalchik. One of the participants of the episode, **A.Zhanimov** has been on the wanted list till now (“*Gazeta Yuga*”, 31.03.2011).

In spring, an acute conflict which was not connected directly with the content of the judicial hearings flared up.

Approximately in the beginning of the spring, Chief of Pre-Trial Detention Centre-1 where the defendants are kept and his assistant were replaced. A certain **V.A.Popov** from *the Krasnodar Territory* came to take the place of the old leader. Right after that, the more or less tolerable conditions of the keeping of defendants, which had been adjusted for a long time and with difficulty, were destroyed in a flash, and the defendants began to be violence on a mass scale.

As it became known to Memorial Human Rights Center, from **4 March** till **10 March** some measures were carried out in the Pre-Trial Detention Center, aimed at resettling the defendants from the old building to a new one. The resettlement was accompanied by episodes of beating, by searches and an unreasonable withdrawal of the documents concerning the criminal cases of the defendants. Some complaints intended for the European Court of Human Rights were withdrawn from one of them, **Rasul Kudayev**. Besides, some dozens of complaints addressed to the Pre-Trial Detention Center's management were withdrawn, which the defendants prepared for lawyers. It is known for certain that the following prisoners were subjected to violence: **Anzor Ashev**, to **Mussa Soblirov**, **Eduard Mironov**, **Khussein Khubolov** (the defendants on trial as per the case of the attack on the city Nalchik); **A.Kh.Zakurayev**, **I.A.Shamparov**, **Idar Guketlov**, **N.Kh.Gergov**. There is some evidence that I.A.Shamparov and Idar Guketlov cut their veins with a razor after a regular violence

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m242492.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m242492.htm)).

**At a session on 14 March**, five lawyers declared to the court they had not been able to meet their clients in the Pre-Trial Detention Centre in the course of 10 days, although they *[the lawyers]* had kept waiting for several hours for their defendants to be brought out. In their turn, twelve defendants drew the attention of the court to the fact that some physical and psychological pressure was being exerted on them. Several accused persons declared that they feared for their life. The written statements of the accused persons were attached to the materials of the criminal cases, and copies of the documents were sent to Public Prosecutor of Kabardino-Balkaria by a decision of Judge **G.Gorislavskaya** (*"Gazeta Yuga"*, 14.03.2011).

Since March, the communication of the lawyers with their clients appeared to be artificially complicated, therefore both they and the public got to know about many facts of lawlessness with a big delay. Only **on 12 May**, some statements from the defendants and their lawyers regarding some facts of episodes of the infringement of the course of law in the Pre-Trial Detention Centre, which occurred in the end of March and in the beginning of April arrived at Memorial Human Rights Center. Thus, defendants **A.Z.Shavayev** and **A.Kh.Zakurayev** lodged an application regarding some facts of violence committed in their case and with respect to defendants **R.L.Shugunov** and **A.I.Goov** *[go'ov]*. All of them were beaten using rubber bludgeons, forced to do the splits and chained to the grilles. In response to their remarks concerning the lawlessness of such treatment, the episodes of mockery only persisted. A.Zakurayev was threatened with rape. Head of the Pre-Trial Detention Centre, V.Popov, personally took part in the episodes of beating and encouraged such a behavior of his subordinates in every possible way. He said to A.Shavayev: "I have been given a permission from Moscow to crack you down!". And he told A.Zakurayev that it was just a beginning and that now they all would be constantly beaten for every fault at that. The physicians, to all appearance, had been intimidated by the management of the Pre-Trial Detention Centre and refused to record episodes of beating in writing under various pretexts.

At a session **on 31 March**, the defendant made a statement about a rape attempt. **M.A.Soblirov** said that **on 30 March**, Head of the Pre-Trial Detention Centre, V.Popov, and other officers of the Centre, including **V.A.Nyrov**, brought him to a separate cell, undressed him completely, threatened and intimidated him and arranged a dramatisation of rape. While speaking, M.Soblirov informed that if something wrong happened to him, he would ask to consider the administration of the Pre-Trial Detention Centre of the city of Nalchik to be responsible for it. ([www.memo.ru/2011/04/01/0104111.html](http://www.memo.ru/2011/04/01/0104111.html)).

There is already a big enough number of applications of the defendants regarding the lawless actions of the new administration of the Pre-Trial Detention Centre. In most cases, the judge does not refuse to send them to the Investigation Department of the Investigating Committee, however the violence continued for a long time, and no retaliatory measures were being taken.

Sometimes, some episodes of newly-applied beating were recorded directly at a judicial session at the request of lawyers. Thus, at a session **on 11 April**, a lawyer petitioned to call the physicians who



could record some bodily injuries of his client **Dugulubgov**. The court supported this. The physicians who examined Dugulubov during a break ascertained the presence of crimson-and-livid bruises on his hip and on his buttocks. (*"Gazeta Yuga"*, 14.04.2011). And **on 22 April**, **E.S.Shak**, lawyer of the prisoner, **A.N.Tengizova**, informed in her application lodged with Memorial Human Rights Centre that on the same day her client was beaten by the officers from a separate company of the police escort duty of the Ministry of Internal Affairs, the Republic of Kabardino-Balkaria, when he was being convoyed to the Nalchiksky City Court, which fact he declared in court. According to petition of the lawyer, an ambulance service brigade was call to the hall for judicial sessions, which recorded some bodily injuries: a rough-edge wound of a superciliary arch at the right, in the area of the person's face; a scratch mark at the left; and a small-sized subdermal hematoma in the occipital region of the head. However, in other cases Judge G.Gorislavskaya hindered from the lawyers' recording the battery of their clients. Thus, **on 29 March**, after the judicial session ended and the judges, the public prosecutors and part of the lawyers left the hall, Defender **T.N.Psomiadi** photographed the face of her client **A.Z.Shavayev** using the camera of a cell phone in order to freeze the presence of bodily injuries at least on a photo. However, at the next session the Judge declared that photographing was illegal and that from then on mobile phones would be withdrawn from lawyers before judicial sessions. **On 4 April**, all defenders came to a judicial session in due time, however they were admitted not admitted to the hall by the staff of officers of justice. They demanded that the lawyers should hand over their cellular phones, but at the same time they refused to draw up reports of personal inspection and certificates of withdrawal of personal property. The officers of justice blocked the defenders who wished to go into the courtroom

([www.memo.ru/2011/05/13/1305111.html](http://www.memo.ru/2011/05/13/1305111.html); *"Gazeta Yuga"*, 07.04.2011).

The telephone conflict became the reason for a week's break in the process. However, this is but an episode in the whole sequence of the actions of law-enforcement and judicial agencies directed at impeding the work of lawyers. In the end of March, some cages were installed in the investigation offices of the Pre-Trial Detention Centre, which separate them [*the lawyers*] from their clients. It is forbidden for lawyers to come close to a cage and they have to raise their voice while communicating with defendants. They consider that this was arranged in order to facilitate the audio recording of their conversations. Lawyers declared a protest in court against an infringement of the confidentiality of their communication with clients.

The conflict between the defendants and the law enforcement agencies reached its climax in the middle of April when the administration of the Pre-Trial Detention Centre withdrew the defendants' refrigerators and TVs from the cells, which were at the expense of their relatives and installed in due time according to an agreement with the former administration. **On 18 April**, at a court session one of the accused persons, **Azamat Akhkubekov** read out a statement of 24 defendants who informed about an announcement of a hunger-strike, beginning with the next day (*RIA Novosti News Agency*, 18.04.2011). **On 20 April**, an indefinite hunger-strike was declared by four more defendants: **R.O.Sazayev**, **I.A.Guketlov**, **A.N.Kazikhanov** and **A.N.Tengizov**. As it follows from their application lodged with Memorial Human Rights Center, their requirements are more extended than a simple wish to preserve their household conveniences. The prisoners say that the officers of the separate company of the police escort duty of the isolation ward beat them each time they are convoyed from the isolation ward to the court. *"The officers remove our underwear forcedly, beat us with bottles without removing our handcuffs"*, prisoners write. They demanded *"to initiate a criminal case; to ensure the sending of complaints and statements through the special unit; to prolong the appointment up to three hours; to resume the delivery of parcels with home-made foodstuffs, of magazines and newspapers; to withdraw the special task force, the special unit, the cages in the investigation offices; to provide proper food"*. ([www.memo.ru/2011/04/25/2504113.html](http://www.memo.ru/2011/04/25/2504113.html)).

President of the Republic of Kabardino-Balkaria, **A.Kanokov**, responded operatively enough to the aggravation of the situation, by visiting the Pre-Trial Detention Centre already **on 21 April**. However, seemingly **A.Kanokov** saw only what they wanted to show him or what he himself wanted to see. As may be understood from the official information, the visit of President of the Republic of Kabardino-Balkaria to the Pre-Trial Detention Centre of ceremonial nature: "Head of the Republic of Kabardino-Balkaria, accompanied by Acting Chief of the Administration of the Federal Sentence-Implementation Service of the Republic of Kabardino-Balkaria, **Vasily Fyodorov**, examined all the buildings and the kitchen of the Pre-Trial Detention Centre". **Arsen Kanokov** was satisfied with what

he saw, noting that *“he did not expect that everything there was so well-arranged. No complaints or statements addressed to Head of the Republic from persons under investigation had been received”*. He had a talk with the defendants convicted of the attack on Nalchik, but these were the persons who had abandoned the hunger-strike, from among the people collaborating with the administration. President of the Republic of Kabardino-Balkaria failed to visit anyone who was on the hunger-strike. A.Kanokov held a meeting in the Pre-Trial Detention Centre with agents of national security with reference to an application regarding the tightening of the regime of the detention, which was received from the defendants convicted for the attack on Nalchik, and Deputy Public Prosecutor of the Republic of Kabardino-Balkaria, **A.Makhov**, assured him that Public Prosecutor's check-up of the given fact had not revealed any infringements on the part of the officers of the Administration of the Federal Sentence-Implementation Service. *“The complaints of the persons under investigation have been recognized as ungrounded”*, A.Makhov said (07KBR.ru, 22.04.2011).

On 23 April, the Investigation Isolation Ward was visited by Chairman of the Public Supervisory Commission for Institutions of Confinement, M.Endreyev, Senior Public Prosecutor Assistant of the Republic of Kabardino-Balkaria, V.Shavayev, and Acting Chief of the Administration of the Federal Sentence-Implementation Service of the Republic of Kabardino-Balkaria, V.Fyodorov. They visited the cells, talked to their inhabitants and urged the prisoners to abandon the hunger-strike (*“Gazeta Yuga”*, 28.04.2011).

Meanwhile, the prosecution party declared that it shaped its course towards an accelerated termination of the process. On 24 March, in Pyatigorsk, a press conference of O.Menshikova, Chief of the Board of management of General Prosecutor's Office of the Russian Federation in the North Caucasian Federal District, who accused the lawyers of their allegedly delaying the judicial process. O.Menshikova informed that the prosecution party was heading for the acceleration of the process, in connection with which it is ready to abandon almost one third of minor probations concentrating only on the main ones. According to Chief of the Department, a judicial decision on the case should be made till the end of 2011 (*“Gazeta Yuga”*, 31.03.2011). On the same day, at a judicial session in Nalchik they discussed a letter of General Prosecutor Deputy of the Russian Federation, I.Sydoruk, forwarded to the Lawyers' Chamber of the Republic of Kabardino-Balkaria, in which 11 lawyers were mentioned who, according to Public Prosecutor's Office, often miss judicial sessions because of their own illness or due to that of their children, owing to which fact 15 judicial sessions were postponed.

The reason for why the law-enforcement system began to unexpectedly bustle about the termination of the process may consist in that under the conditions of the drastic aggravation of the criminogenic situation in Kabardino-Balkaria, defendants make a pernicious moral impact on other arrested persons who, according to one of officials in the Government the Republic of Kabardino-Balkaria, *“leave the place [the detention centre] being the same religious fanatics”* (in April, 430 people were kept in the Pre-Trial Detention Centre - 07KBR.ru, 22.04.2011). In an interview to a correspondent of *“Kommersant”*, the same information source designated the increased terror with regard to defendants as *“preventive works”*. In reply to the question: *“And you think that such methods of struggle against them are effective?”*, he answers: *“This is how agents of national security think”*. In private conversations, even high-ranking officials in the Republic of Kabardino-Balkaria often say that agents of national security *“go too far”*. (*“Kommersant”*, 14.04.2011).

### ***Attacks launched on the underground***

A year has already passed since the time of the annihilation of the main ideologist of insurgents, **Said Buryatsky (Aleksander Tikhomirov)**, and the capture of the leader of Ingush insurgents, **Magas (Ali Taziyeu)**. In the whole Northern Caucasus, powerful blows are being stricken on the armed underground. In the whole Northern Caucasus, powerful blows are being stricken on the armed underground. In 2010, they managed to crush the underground in Chechnya and Ingushetia to a considerable extent. In 2011, next in turn were Kabardino-Balkaria and Dagestan where attacks of insurgents became the most frequent. It is common knowledge that **in March 2011** 6 thousand servicemen were manoeuvred by the Republic of Kabardino-Balkaria and the Republic of Dagestan – some mass-media reported about this referring to **S.Bunin**, Chief of the General Staff of Internal Security Troops of the Ministry of Internal Affairs. (*“Novoye Delo”*, 28.03.2011). Plenipotentiary Representative of President of the Russian Federation in the North Caucasian Federal District,

A.Khloponin, in turn, noted in one of his interviews that “*additional contingents were recently introduced on some territories of the District with a view of strengthening counteraction to terrorism*” (“*Vedomosti*”, 01.06.2011). In Dagestan, the manoeuvres of federal forces even sparked rumours about a large-scale antiterrorist operation being prepared on the territory of Dagestan (“*Novoye Delo*”, 15.04.2011; “*Kavkazsky Uzel*”, 15.04.2011). It is in Dagestan that the most tense situation prevails at the moment. Out of 52 counterterrorism operations carried out from January till May 2011, 35 fell on Dagestan, 7 on the Chechen Republic, 6 on Kabardino-Balkaria and 4 on Ingushetia (*News Agency Interfax*, 11.06.2011). However, it is well to bear in mind that the state of counterterrorism operation on the territory of at once several districts of the Republic of Kabardino-Balkaria has remained in force since the end of February and for some months in succession. 85 % of all terrorist crimes committed in the North Caucasian Federal District fell on Kabardino-Balkaria and Dagestan as of the beginning of June according to official statistics (*RIA Novosti News Agency*, 11.06.2011).

In spring 2011, the insurgents suffered new serious losses. Totally, according to Minister of Internal Affairs of the Russian Federation, R.Nurgaliyev, the special forces managed to annihilate 19 persons belonging to the category of “bandit leaders” for the first five months of 2011 (*News Agency Interfax*, 11.06.2011). In this regard, basically these were chiefs of the first echelon. The underground of Dagestan has once again lost its top. **On 17 April**, security-service agents annihilated a certain **Israpil Validzhanov**, a 42-year-old participant of both the Chechen wars and “Amir” [*mir, sayyid, sabzpush, khabib, sharif*] of Dagestan and until recently “Amir” of Southern Dagestan, who replaced **Magomedali Vagabov** killed last year. The 50-year-old **Ibragimkhalil Daudov** (“Amir” **Salikh**) who went to “Jihad” relatively recently, in 2008, was appointed to occupy the position of leader of “Imarat Caucasus” instead of Israpil Validzhanov by **D.Umarov**. According to law enforcement agencies, the whole family of the Daudovs went to “the woods”. Two of his three sons are already killed, and he himself sent his wife to Moscow for committing an act of terrorism on the New Year's night of 2011. However, she blew herself up by chance (“*Novoye Delo*”, 22.04.2011). Also, a number of leaders of regional groups of Dagestan's insurgents (“Jama'ats”) were killed in spring such as, for instance, the leader of Makhachkala's insurgents, **Samitai Amatov**, or the head of a big Tsuntin terroristist-and-diversionary group, **Suleiman Magomedov**.

As was already mentioned in the section devoted to Kabardino-Balkaria, in April and May the whole leading top and the most offensive criminals from among local insurgents were destroyed. **On 29 April**, ten insurgents, including the leaders **Asker Dzhappuyev** and **Kazbek Tashuyev**, were annihilated at one stroke *in the settlement of Progress of the Stavropol Territory*, at the administrative border with the Republic of Kabardino-Balkaria, who had often and willingly made statements in front of videocameras and, thanks to the Internet, become peculiar media persons.

In Ingushetia, the leader of the “flat land” insurgents, **Vakha Mochukiye**, accused of a number of much-publicised crimes, including the murder *in 2008* of the cousin of the then President of Ingushetia, **Bekhan Zyazikov**, was killed **on 23 May**.

**On 11 April**, security service agents liquidated the Arab **Khaled-Yusef Mokhammed** who had been a long-term emissary of the international terrorist organisation “Al-Ka'ida”, according to power structures. He is more known as **Mokhanned** or **Moganet**, an associate of other influential Jihadists of Arabian origin, **Khattab** and **Abu-Khavs**, annihilated in 2006. Mokhanned had been a person close to D.Umarov for a long time, and in 2010 he became an initiator of a split in the camp of insurgents, when several groups of Chechen insurgents who wished to further battle only for their native land turned back upon D.Umarov, i.e. they chose to abandon the idea of all-Islamic “Jihad”. According to the Federal Security Service of Russia, in spring-summer of 2011 Mokhanned went into hiding, along with his confidants, *in the Kurchaloyevsky District of the Chechen Republic*, planning to re-man the ranks of the insurgents at the expense of manoeuvring them from the territory of Georgia through *the Pankissky Gorge* and ensure himself a complete control of the armed groups in the Northern Caucasus by means of the insurgents subordinated to him (“*Grani.Ru*”, 04.05.2011).

The killed Mokhanned who relied upon foreign support obviously represented some kind of wing of North Caucasian insurgents, “archaic” in its type of organisation and functioning. Concealing himself in the high-mountain sparsely-populated Chechen Republic, his supporters could not count on a lavish inflow of means of subsistence from the rather poor local population. Meanwhile, insurgents in other regions, namely Ingushetia, Dagestan and Kabardino-Balkaria, had a firm footing on “the local soil” in recent years. Russian law enforcement agencies admit that “*the flows of money coming (to North Caucasian insurgents) from abroad are many times lower than those which the bandits*

receive as of today here, on the territory of the District” (Chief of the Main Directorate of the Ministry of Internal Affairs of the North Caucasian Federal District, S.Chenchik – RIA Novosti news agency, 14.04.2011, RIA Novosti News Agency, 24.04.2011). In Dagestan alone and merely within the last year, according to agents of national security, the sum of the means placed to the insurgents’ account from business circles and officials reached 100 million roubles. (RIA Novosti News Agency, 04.04.2011).

It is characteristic that whereas the initiation of criminal cases based on facts of the financing of insurgents was of singular occurrence in the past years, already 11 proceedings were instigated from the beginning of 2011 (RIA Novosti News Agency, 04.04.2011). A wide circulation of illegal and semi-legal business contributes to the fact that shadow incomes flow into the hands of insurgents. For example, on the territory of Kabardino-Balkaria alone there operate just short of 47 enterprises producing alcoholic products. All of them without exception withdraw divert a considerable part of incomes from taxation and remain unpunished (the website of the Ministry of Internal Affairs of the Russian Federation, 21.04.2011).

Soon after Mokhanned was killed, a citizen of Turkey, **Doger Sevdet**, who is known mainly as **Abdulla Kurd** was annihilated **on 3 May**. He had been at war in the Northern Caucasus for 20 years. According to the Federal Security Service of Russia, it was he who began to occupy the post of the main coordinator of structures of international terrorism in the Northern Caucasus after the elimination of Mokhanned. According to the information from the same source, the functions of control and distribution of financial receipts from abroad had been assigned to him for ensuring the activity of the armed underground in the whole Northern Caucasus (the website of the National Anti-Terrorist Committee, 04.05.2011).

However, the heaviest blow was dealt on the insurgents on **28 March**, in the area of the Ingush village of *Verkhny Alkun* when as a result of a pre-planned air and artillery attack a long-term camp of the insurgents was at once destructed together with its inhabitants, the exact number of whom has not been announced so far because of a fragmentation of several bodies, but it makes from 14 to 19 persons. Two more insurgents were detained during the operation. According to President of the Ingush Republic, **Yu.-B. Yevkurov**, four suicide bombers had had their training in the destroyed base. In accordance with his information, the terrorist who blew himself up last winter in the airport of Domodedovo had been also trained there (ITAR-TASS, 04.04.2011) It was proved (and this was recognized by the insurgents themselves) that during this operation a certain **Supyan Abdulayev** (“**Amir Supyan**”), the cohort of Umarov, who was characterized by one of the insurgents’ sites as “one of the most experienced commanders of mujahiddins of the Caucasus, an instructor of young Moslems, a teacher and educator of mujahiddins and as the immediate brother-in-arms of Amir **Dokku Abu Usman**” (Khunafa, 01.4.2011) died. Among the persons killed as a result of this special action, law enforcement agencies also count a certain **Aslan Batyukayev** (“**Amir Khamzat**”), the militant who had been quickly promoted within recent memory, the commander of the so-called brigade of suicide-bombers of “Riyad-us-Saliheen” (“RosBusinessConsulting”, 13.04.2011). Some of the killed persons were mentioned in various items of information of Memorial Human Rights Center ([www.memo.ru/hr/hotpoints/caucas1/msg/2011/04/m245106.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/04/m245106.htm)).

News about the alleged death of Dokku Umarov might have become the main sensation of the past years. Initially, this news was announced, however later on the reports on his annihilation (for the seventh time already during the whole period of his involvement in the armed resistance!) subsided. Representatives of various law-enforcement structures began to declare carefully that D.Umarov is more likely to be alive than dead.

It is common knowledge that security-service agents brought people who personally knew D.Umarov from the Chechen Republic to Ingushetia to the place of the carrying-out of the special action, but they failed to identify him among the remains of the insurgents. And a genetic examination did not confirm the fact of his death either (RIA Novosti News Agency, 04.04.2011). But **in April and May** either D.Umarov himself or a person who pretended to be D.Umarov, two times contacted journalists of the North Caucasian Service of Radio Freedom and declared that he was safe and sound and resolved to make a reciprocal move (“Grani.Ru”, 08.04.2011). The insurgents attempted to play down as much as possible the damage suffered by them through their websites. In particular, it was reported that according to their sources of information only six corpses had been delivered to the Nazran Mortuary from the special operation and that during the action “Amir Khamzat had not suffer” (“Kavkaz-Tsentr”, 04.04.2011).

Some time later after the carrying-out of the special operation, President of the Ingush Republic, Yu.-B. Yevkurov, spread some information that the base of the insurgents had been found and knocked out thanks to “a tip-off” of a certain Ali Taziyev (Magas), who was detained in June last year (*News Agency Rosbalt*, 01.04.2011; *NEWSru.com*, 01.04.2011; “*Vzglyad*”, 01.04.2011). Some editions, obviously relying on the information furnished by special services, give some details aimed at further discrediting Magas and the whole underground. In particular, it is affirmed that Magas “*is actively collaborating with the investigators*” and that he has blabbed out so much to law enforcement officers that the insurgents have already sent him “a black mark”: an explosive was put in the courtyard of his mother’s house in Ingushetia which, fortunately, was detected just in time. A.Taziyev himself was, in his turn, “ratted on” by **Timur Yelkhoroyev**, his deputy in the Nazran “Jama’at”, who had already got his prison term, and who was, in his turn, ratted on by another insurgent, **Idris Agiyev**, etc. Discussion of these facts in mass-media urged to draw quite certain moral shape of a top of insurgents. To it it is necessary to add the information that, ostensibly, by a recognition of Tazieva, employment by racket has brought to him a mullions-strong dollar condition (“*Svobodnaya Chechnya*” [*Free Chechnya, Chechnya Enjoying Freedom*], 02.05.2011).

As to total number of the losses of the insurgents, here no unanimity in the statistical data made public by various power officials may be, as always, observed. Thus **on 11 June**, R.Nurgaliyev, Minister of Internal Affairs declared that for the first five months of 2011 193 insurgents were annihilated (*News Agency Interfax*, 11.06.2011). And his Deputy for Affairs of Internal Security Troops, **N.Rogozhkin**, asserted on 24 March, i.e. two and a half months (!) before his chief spoke, that about 200 insurgents had been already killed since the beginning of the year (*News Agency Rosbalt-Kavkaz*, 24.03.2011). Most of the insurgents according to the Ministry of Internal Affairs were eliminated in Dagestan (73 persons as of **10 May** – “*Novoye Delo*”, 13.05.2011 and 37 persons in Kabardino-Balkaria as of the beginning of June – *RIA Novosti News Agency*, 11.06.2011). The insurgents themselves hastened to respond to the statements of the Russian officials, presenting their own calculation of the losses (it is not known what it was based on either): according to their information 166 representatives of law-enforcement structures were killed in the course of five months and 255 wounded. The insurgents estimate their own losses to be 113 “shahids” (“*Kavkaz-Tsentr*”, 11.06.2011).

The losses of the power structures, suffered in collisions with insurgents and as a result of terrorist acts has reduced since the beginning of the current year, but all the same they remained big enough. According to Minister of Internal Affairs, they made 253 men, out of which number 74 died and 179 were wounded (*RIA Novosti News Agency*, 11.06.2011). By estimates of Memorial Human Rights Center, made using data from open sources, during this period 75 men died and 112 were wounded. For the analogous period of the past year, according to the same data, the losses made 104 men killed and 222 wounded.

The losses of the insurgents considerably exceed those of agents of national security, whereas they were approximately equal for a long period of time. Tragic cases similar those that occurred in the *Tsuntinsky District of Dagestan*, when within one day of fights **on 11 April**, 2011 the policemen lost 7 men killed and 10 wounded, are now singular.

It should be noted that the tactics of agents of national security has not undergone any appreciable changes: as before they are widely applying excessive violence during the carrying-out of special operations, abduction of people, they strive for killing assumed insurgents instead of detaining and bringing them to trial. This tactics not only fails to be corrected, but is also extending broadwise. For example, the struggle against the insurgents in the until recently quiet Kabardino-Balkaria followed the same and most rigid scenario. Therefore, some innocent people are also inevitably enrolled on the list of people posthumously recorded as insurgents.

For the total number of losses in the spring of 2011 according to the information of open information sources, gathered by the website “No to the War”, please see Table I.

**Table I.** The losses of representatives of law enforcement agencies and servicemen according to messages of Russian news agencies in the spring of 2011

	March		April		May		Total	
	Killed	Wounded	Killed	Wounded	Killed	Wounded	Killed	Wounded
Chechnya		3		9	1	14	1	26

Ingush Republic	5	1	1	5		1	6	7
Dagestan	6	9	14	16	14	6	34	31
Republic of Kabardino-Balkaria		2		1	2		2	3
Karachayevo-Circassian Republic			1				1	
Total	11	15	16	31	17	21	44	67

By comparison, one year ago, *in spring 2010*, the losses of agents of national security numbered 65 men killed and 135 wounded. After that, an essential growth of losses followed in summer and in autumn 2010 (102 men killed and 152 wounded men in the summer and 75 men killed and 176 wounded in the autumn). They managed to bring the wave of violence down, also at the expense of the seasonal factor, only in winter 2010/2011 (40 men killed and 80 wounded). Not less than half of all the killed and wounded men fell on Dagestan. Relatively big losses were suffered by agents of national security of the Chechen Republic and Ingushetia. The number of victims was quickly growing in Kabardino-Balkaria. As is obvious from the presented table, now they are not able to cardinally overcome the situation only in Dagestan, although here too, if one judges by absolute figures, it is possible to establish an appreciable reduction in the number of victims among agents of national security.

The present essential reduction of the losses of agents of national security discords with a long-term regularity when the activity of insurgents and the losses of agents of national security always were on the rise in spring, reaching its peak value in summer and in autumn. As already noted, *in spring 2010* the losses of agents of national security made 65 men killed and 135 wounded. *In spring of 2009*, 59 men were killed and 97 wounded; *in spring 2008* 40 men were killed and 89 wounded; *in spring 2007* 48 men were killed and 66 wounded. One may say that recently the super efforts of the power structures enabled to reduce the number of losses down to the level of four to five years ago, even before the creation of the Islamic quasi-state “Imarat Caucasus” and the rapid religious radicalisation of the insurgent movement.

The next two “green” seasons, traditionally characterised by the activation of the underground, will show to what extent the tendency towards a reduction in the losses of power structures is steady, which [*the tendency*] is obviously proportional to the decrease of the capacity of insurgents for organised resistance, coordination and self-reproduction through voluntary mobilisation of local population.

An issue of the number of the insurgents remaining “in the woods”, viewing the intensity of the operations, may be naturally raised just in the most assumptive way. In April 2011, in Dagestan, the law enforcement agencies estimated them to total 130 to 150 persons, with the number of accessories surpassing this figure tenfold (“*Izvestiya*” [News], 13.04.2011). As of the middle of April, the number of insurgents in Kabardino-Balkaria was estimated to be 60 to 70 persons as part of five groups (*RIA Novosti News Agency*, 14.04.2011). Special Representative of President of the Russian Federation for affairs concerning the international cooperation in the struggle against terrorism and the organised crime, **Anatoly Safonov**, appraised their general number in April to be some hundreds of insurgents (“*RosBusinessConsulting*”, 13.04.2011). Concerning Ingushetia and the Chechen Republic, they have not even published any evaluative information.

It is worthwhile to note an obvious tendency of the past months, namely a spread of the so-called “Russian Wahhabism”, consisting in the popularisation of ideas of fundamentalist Islam among the Slavs who are becoming one of solid sources of mobilising insurgents and shahids acting as suicide-bombers.

The phenomenon of the conversion of the Russians to Islam has its social roots: in this way socially unsettled marginal layers of slavic youth are easier integrated into the local youth environment. And not having any Islamic “tradition of grandfathers” behind their shoulders, the Russians not infrequently go along the Salafite road. As was already mentioned in the latest Bulletin, inhabitants of *Pyatigorsk* **Vitaly Razdobud’ko** and his partner wife **Marina Khorosheva** blew themselves up on the same day *on 14 February* in the town of *Gubden* of Dagestan. *On 31 March*, during a special operation a certain **Aleksey Tarasenko** who professed Salafite Islam was killed in *Makhachkala* while furnishing armed resistance (“*Chernovik*”, 06.05.2011). *On 10 May*, in a Nalchik

five-storey building, they killed a person whom agents of national security consider to be a killer on the service of local insurgents, the 23-year-old **Astemir Mamishev**, and along with him some other persons who accepted Islam, namely the 24-year-old owner of the apartment **Ruslan Fedyanovich** and his wife, the 22-year-old **Nadezhda Petruchenya**, while they mounted armed resistance. According to some information of law enforcement agencies, there had been a laboratory for explosive manufacture in this apartment. One more ethnically Russian Kabardino-Balkarian insurgent, **Vladimir Kobzev**, was until recently hiding in the woods. His death in the settlement of Progress of the Stavropol Territory together with some leaders of the Kabardino-Balkarian underground in the end of April was confirmed by forensic assessors (*"Kavkazsky Uzel"*, 16.06.2011).

One more source of mobilising supporters of extremism threatens to spring into action in North Ossetia after a tragical incident which happened **on 26 May**, 2011 in a summer community at the outskirts of *Vladikavkaz* when Dean of Ossetian Philology Department of North-Ossetian State University, the 71-year-old poet, **Shamil Dzhigkayev**, was brutally killed. The crime is overburdened by its obviously ritual character: Sh.Dzhigkaev was decapitated. The law-enforcement officers got on the trail of a person suspected of the murder practically in one go: **David Murashev**, born in 1977, a Moslem Ossetian. The motive was obvious: a few years ago Sh.Dzhigkaev published a poem "The Wolflings Are Going On Hadj", which was his response to an incident which caused a stir in North Ossetia when some young men from the Chechen Republic, going on hadj on the buses towards the airport, stopped a short way off the Memorial Cemetery "Gorod Angelov" [*City of Angels*]. Both Ossetians and Chechens have diametrically opposed explanations of what occurred further. According to some version which is in circulation in North Ossetia, the Moslems pissed onto the cemetery fencing, whereas the young men assert that they only prayed and away from the cemetery at that. One way or another, stones were thrown at the buses from local youth. The incident was on everyone's lips in the Republic, and the poem of Sh.Dzhigkayev widely spread among people, being extremely negatively appraised by Moslems. After that, the author was regularly receiving anonymous threats.

On 31 May, the suspected person, D.Murashev was killed in the process of his detention. In this regard he had enough time to wound three policemen when he was defending himself by shooting. Immediately after the special operation, there started arrests of young Moslems, parishioners of the Vladikavkaz Sunnite mosque. The detentions were carried out according to a scenario that had long been approved in the neighbouring regions of the Northern Caucasus - armed people broke into houses, wearing masks, they beat and offended everybody indiscriminately and so on and forth. As is known, such actions have yielded no good results so far, but an escalation of mutual violence. Totally, 16 to 18 persons were detained, including Imam of the mosque (*"Grani.Ru"*, 28.05.2011; *"Kavkazsky Uzel"*, 03.06.2011, *Radio Echo Kavkaza*, 01.06.2011).

The majority of inhabitants of North Ossetia (up to 80 %) profess Orthodoxy, but they do not decline ritual relics of paganism either at the same time. From among Moslems living in the Republic only few believers regularly attend mosques. In this respect, lately some information about the radicalisation of part of the Moslem community (an absolute minority so far) began to appear in increasing frequency. As representatives of law enforcement agencies reported, D.Murashev had been dragged into the milieu of radicals by the 27-year-old Abdulla Tagirov who was purposefully searching those who could be inclined to religious radicalism among parishioners of the Vladikavkaz Mosque.

The Spiritual Administration of Moslems of North Ossetia is extremely worried by the potential escalation of violence with respect to Ossetian Moslems. According Mufti of the Republic of North Ossetia-Alania, Khadzhit-Murat Gatsalov, the city's Muslim community itself addressed in due time the Centre for Struggle against Extremism of the Ministry of Internal Affairs of the Republic of North Ossetia-Alania when it got to know about D.Murashev's radical beliefs. It was found out that the latter was writing extremist statements on the walls in the area of the Terek Embankment and Ossetinskaya Gorka [*Ossetian Hill*]. D.Murashev was detained by the police, however he was soon released. Where the recruiter A.Tagirov is now, it is not known. Meanwhile, the rudeness with which the parishioners of the Sunnite mosque were detained, will almost inevitably turn into animosity of many of them. "For the lads who have been now arrested, the Spiritual Administration is an authority but when they leave they may become avengers" - Mufti Kh.-M.Gatsalov expressed his fears (*News Agency Interfax-Religiya*, 03.06.2011; *the 15th Region*, 02.06.2011).

### *Ingushetia: the resistance of the underground crushed but no civil peace achieved*

Owing to the persistent efforts of the Administration of President of Ingushetia, the criminogenous situation in the Republic has appreciably improved in the past months. The information about collisions with insurgents in Ingushetia appears extremely seldom. A big operation carried out on **28 March 2011** in the vegetated area of the Republic and ended with the annihilation of some militants from D.Umarov's immediate milieu is an exception. However, in this case the operation was conducted at the initiative of federal authorities too. Head of the Republic, **Yu.-B.Yevkurov**, considers that it was the population's support that substantially helped achieve the success: *"We have managed to localise the situation with a great difficulty and in many respects this was due to the fact that the population trusts us"*, he declared at a meeting with heads of power structures on **14 March 2011**.

The success in the adjustment of relations with the population very closely correlates with the long-standing problem of illegal abduction. The parents of abducted stolen young men were invited to the meeting **on 14 March**, and as well as those people with respect to whom illegal methods of carrying out investigation were applied on the part of law enforcement officers. Head of Ingushetia authorised the Inherent Security Department of the Ministry of Internal Affairs in the Ingush Republic and Human Rights Commissioner of the Ingush Republic, **Dzhambulat Ozdoyev**, to carefully puzzle out every case of infringement of law during the detention of an alleged criminal and while conducting investigatory actions. Yu.-B.Yevkurov declared that lawless actions of power structures undermine the confidence of the population in the authority. He noted that along with criminal cases of abduction, there occur incidents when officers of power structures are involved in episodes of abduction. An issue of unlawful actions of officers of power departments who come to the Republic from other regions was also discussed at the meeting and who do not coordinate their activity with the leadership of the Republic's Ministry of Internal Affairs

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m241253.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m241253.htm)).

As if to refute the statements of Yu.-B.Yevkurov, several incidents of abduction happened on the same days, which had a big public response in the Republic and caused protest actions.

**On 11 March**, some unknown persons abducted a local resident, **Ruslan Magomedovich Khautiyev**, born in 1981, on the federal route "Caucasus". At 9:00, he drove out to *the stanitsa [a Cossack village] of Ordzhonikidzevskaya (Sleptsovskaya) of the Sunzhensky District* of the Ingush Republic in his office VAZ-2114 car. Ruslan worked in "Rosselkhozbank", he went to the stanitsa according to his official duties. On the way, his car was overtaken by a silver-coloured car with no registration numbers and he was forced to stop. Some unknown persons pushed R.Khutyev into the luggage boot of his own car and brought him to a moist cellar where they handcuffed him. They kept beating him and asked him about his office activity. The abductors did not give any food to R.Khutyev, they just let him drink some water. **On 16 March**, Ruslan Khautiyev was brought in the luggage boot to the outskirts of *the village of Surkhahi of the Nazranovsky District* of the Ingush Republic and threw him out of the car

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m242493.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m242493.htm)).

Next day, in the daytime **on 12 March 2011**, some officers of an identified power department abducted two local residents, brothers **Shankhoevy**, in *the village of Yekazhevo of the Nazranovsky District of the Ingush Republic*, namely **Alan Ibragimovich Shankoyev**, born in 1981 and **Arsen Ibragimovich Shankoyev**, born in 1986. They lived in Ozdoyev Street, 124.

In the morning, two police officers came to the house of the Shankhoyevs and asked the owner, **Ibragim Shankhoyev**, to come for a conversation together with his spouse to the Centre for Counteraction to Extremism under the Ministry of Internal Affairs of the Ingush Republic. When I.Shankhoyev and his wife arrived at the Centre, some armed people rushed into their house, dressed in a camouflage uniform and wearing masks, and took Alan and Arsen away with them. They also carried off the BMW-525 car of the Shamkhoyevs.

Arsen and Alan came back on the same day. The brothers related that after their abduction they were brought to an open field near the Central Market of the city of Nazran where they were stricken with butts of submachine guns and bludgeons on the feet and tortured with electric current. The abductors asked the brothers whether they were aware of a blown-up house in the village of Ekazhevo. After a while, agents of national security tore the brothers' car documents to shreds before



their own eyes, pointing out that their car was near that place and left. A radio tape recorder and a mobile phone were stolen from the Shankhoyevs' car.

Tragic was the end of a story of the abduction of **Ilez Musayevich Gorchkhanov** by some officers of an unstated power structure, an employee of the Ministry of Education of the Ingush Republic and an inhabitant of *the village of Pliyevo*, born in 1984, who was abducted **on 21 March 2011** between 14:30 and 15:30 in *the city of Nazran*, near a bus station.

Ilez came to Nazran in his VAZ-2114 car. He was caught by some armed people in *Mutaliyev Street*, part of whom were dressed in camouflage uniforms and wore masks. Five to six men seized Ilez, the other ten covered an assault team, using armoured shields. I.Gorchkhanov was forcedly shoved into a silver-coloured "Lada-Priora" car and carried off towards the crossing of *Oskanov Street* and *Bazorkin Street*. Nearby two more silver-coloured "UAZ-Patriot" cars and a white "Lada-Priora" car were standing. They also took away I.Gorchkhanov's car which was found 20 minutes later on the road "*Magas – Kantyshevo*", not far from a road patrol service on the federal route "Caucasus".

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m242491.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m242491.htm)).

The abduction of I.Gorchkhanov worked the townsmen up. On **23 March 2011**, around 11:30, not less than 100 persons, mainly relatives of Ilez Gorchkhanov, blocked the circular interchange on the crossing of *Bazorkin Street* and *Oskanov Street* in Nazran in protest against incidents of abduction. A few minutes later, divisions of the Ingush police began to draw to the place of the spontaneous meeting. A certain **Movsar Tambiyev**, Chief of the Internal Affairs Department of Nazran; **Isa Gireyev**, Deputy Minister of the Ministry of Internal Affairs of the Ingush Republic; **Bekhan Atigov**, Acting Secretary of the Security Council of the Ingush Republic and other high-ranking officials of the Republic's Ministry of Internal Affairs came to meet with the protesters. The negotiations were conducted in an extremely charged atmosphere. The situation began to become heated, a scuffle started, some shooting was heard. At 13.00, the police officers proceeded to disperse the protesters, using violence. The demonstrators began to throw stones at the agents of national security; the officers responded by shooting into the air. Some persons were detained

([www.memo.ru/2011/03/23/2303112.html](http://www.memo.ru/2011/03/23/2303112.html)).

After the spontaneous meeting was scattered, people did not yet leave the place of gathering for some time. Then they dispersed gradually. Father of Ilez Gorchkhanov, **Musa Gorchkhanov**, was invited for a conversation to the Security Council of the Ingush Republic. During a talk with Acting Secretary of the Security Council, **Bekhan Atigov**, and Advisory Assistant of Head of the Republic, **Vakha Yevloyev**, the relatives failed to get any information about the whereabouts of Ilez. They were assured that all possible measures would be taken for his search. Around 13:30, **Magomed Khazbiyev**, the well-known Ingush public figure and his three blood brothers **Khazbieyv**, namely **Magomed**, **Murad** and **Berd**, were detained in the city of Nazran, in their house in Pionerskaya Street, 2. According to their father, **Khamzat Khazbiyev**, not less than 40 officers of some unknown power structure broke into their house without introducing themselves and showing any documents. All the people who were in the house were taken out into the street. Magomed, Berd and Murad were also at home, they had come from the meeting, severely beaten. Soon it got about that brothers Khazbiyev were in the Internal Affairs Department of the city of Nazran. Other arrested persons were also delivered to the same place. Presumably, not more than eight persons were detained, however the exact number of them is not known

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m242490.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m242490.htm)).

**On 24 March**, eight detainees were sentenced to five days of administrative arrest by a decision of a justice of peace. Magomed Khazbiyev was condemned to 10 days, whereas his younger brother, Murad, was released. However, **on 26 March 2011** it was reported that all the detained participants of the spontaneous meeting, including M.Khazbiyev, were released from under guard in the second half of the day. It was found out that the decision on their release was taken by Head of the Ingush Republic, Yu.-B.Yevkurov, after he met with the parents of M.Khazbiev and after some human rights organisations appealed to him. Meanwhile, as *the newspaper "Kommersant"* (on 28 March 2001) justly remarks "as the lawyers interviewed by "B" [*"Kommersant"*] stated, not only the detention of Mr. M.Khazbiyev looks doubtful but also his release: it is not clear on the basis of which document Mr.M.Khazbieyv was let out from under guard... the Court has not yet investigated the complaint of the arrested person, and Head of the Republic, according to legislation, has no legal grounds for cancellation of judicial decisions"

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m243379.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m243379.htm)).

Meanwhile, the whereabouts of Ilez Gorchkhanov remains to be unknown in the period of almost one month. And **on 19 April 2011**, around 16:20, his corpse was found out in the bed of the river *Assa*, approximately a kilometre from *the stanitsa of Nesterovsky of the Sunzhensky District of the Ingush Republic*. The body of Ilez was detected by local residents. After a procedure of identification, the Gorchkhanovs took the corpse away. According to the relatives, there are some suffocation traces on his neck and one eye is plucked out. Judging by the fact that the body was intensely swelled-up, it is possible to assume that it has long time been in the water ([www.memo.ru/2011/04/21/2104111.html](http://www.memo.ru/2011/04/21/2104111.html)).

In addition, **On 14 May** an inhabitant of *the village of Dongaron of the Prigorodny District of North Ossetia Suburb*, **Ruslan Magometovich Poshev**, born in 1982, disappeared on the territory of Ingushetia without leaving a trace. He was going in his car to visit his friends in *the town of Karabulak*, however he vanished on the way. Soon his car was found out on the road, with signs of a damage and struggle in the passenger compartment, and some witnesses found by his relatives said that a young man sressembling R.Poshev was abducted by some armed people in camouflaged uniforms, who drove away in two “Gazel” cars with no registration numbers ([www.memo.ru/2011/05/17/1705111.html](http://www.memo.ru/2011/05/17/1705111.html)). **On 27 May**, his mother, **Makka Posheva** applied to Memorial Human Rights Center. She informed that some officers of the Federal Security Service of Russia FSB carried out a search in her house on the day of her son’s disappearance. They explained that R.Poshev was suspected of his involvement in the activity of an illegal armed group. According to M.Posheva’s statement, a large sum of money vanished from the house after the search. As of the beginning of June, the whereabouts of Ruslan Poshev was not known

([www.memo.ru/2011/05/30/3005111.html](http://www.memo.ru/2011/05/30/3005111.html)).

In spring 2011, the situation of forcedly displaced persons and temporarily displaced persons worsened. They have been living in camps on the territory of Ingushetia since the time of the active phase of the Ossetian-Ingush conflict in the beginning of 1992 and the influx of Chechen refugees in the period of the second Chechen war. Presently, according to the Federal Migration service, 486 families (2244 persons) live in 29 places of compact habitation of transient migrants.

**On 28 February 2011** and **on 31 March 2011** the issue of eliminating the places of compact habitation of transient migrants was discussed two times in the Government of the Ingush Republic. In the first instance, the meeting was conducted by Chairman of the Government, **A.O. Vorobyov**.

For the second time, the meeting was held in the Ministry of Construction of the Ingush Republic. Representative of the Department of the Federal Migration Service of the Russian Federation in the Ingush Republic, **M.Khashiyev**; Representative of the Ministry for Public Relations and Affairs of Nationalities, **M.Dzhaniyev**; and Head of the Office of Memorial Human Rights Center in *the city of Nazran*, T.Akiyev, were present at the meeting held by Minister of Construction of the Ingush Republic, **R.Bulguchev**.

Following the results of the meetings, it was decided to allocate small prefabricated panelised houses to refugees who had land plots and resettle the others to four large clusters of compact habitation of forcibly displaced persons. In future, it is planned to settle refugees apart in 16 new apartment houses for which 4,6 milliard roubles is included in the Federal Target Programme “*Social and Economic Development of the Ingush Republic in 2010-2016*”. The first nine-storey house measuring 70 sq.m is planned to be constructed in 2011. At the meeting in the Ministry of Construction, representatives of the Ministry for National Policy, Religious and External Affairs and the Federal Migration Service Department of the Russian Federation in the Ingush Republic assured that no violent measures would be applied to the settling-apart of places of compact habitation.

Despite the fact that at the meetings in the Government of the Ingush Republic no decisions were taken on any forced elimination of the places of compact habitation, and despite the fact that **on 28 February**, Chairman of the Government of the Ingush Republic gave just some general instruction concerning that it was necessary “*to take exhaustive measures for the liquidation of places of compact habitation and of wildcat camps*”, the local authorities, obviously, accepted his instructions as a guide for action and decided to approach the solution of the problem radically.

**On 3 March**, representatives of the Administration of *the Gamurziyevsky Municipal District of the city of Nazran* arrived at the territory of the barracks in which refugees lived and handed them an order signed by Head of the Administration of the Municipal District, **M-A.M.Buzurtanov**, with a demand that the occupied area should be released within 10 days. In the order, it was stated that the

eviction was being implemented on the basis of a commission of the Government of the Ingush Republic. Вынужденные переселенцы were offered no housing instead. In the Gamurziyevsky barracks there lived 14 families (nearly 50 persons), among them old men, children and disabled persons. The most of the people had lived in settlements of the Republic of North Ossetia-Alania till November 1992. They have had no possibility to return to their native places for 18 years already because of the international conflict. Many gave birth to children during these years. Their houses are destroyed, and they have never received any indemnification either for acquisition or restoration of their housing

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m240382.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m240382.htm)).

**On 18 March 2011**, some temporarily displaced people, living in the place of compact habitation “Ogonyok” [*a small light*] in the village of Ali-Yurt of the Nazranovsky District of the Ingush Republic, lodged a written application with the Office of Memorial Human Rights Center. They informed that **on 11 March** the administration of the village of Ali-Yurt handed their notices to heads of families living in the place of compact habitation “Ogonyok”, demanding for them to release the occupied premises **before 15 April 2011** in connection with an emergency condition of the barracks. In this regard, the republican and federal authorities did not offer the temporarily displaced persons any variants of resettlement. The inhabitants of the place of compact habitation “Ogonyok” are basically dwellers of the Prigorodny Region of **the Republic of North Ossetia-Alania**, and from the Chechen Republic as well.

Periodically light, gas and water supply is disconnected in the place of compact habitation “Ogonyok”. The migrants pay for municipal services at their own expense, as well as for disposition of garbage which is not removed in time on frequent occasions. Its accumulation pollutes the territory adjoining to the places of compact habitation.

**On 28 March**, some inhabitants of the place of compact habitation “Kindergarten No.1” in the town of Karabulak applied to the Office of the Memorial Human Center in the city of Nazran. There lived 14 families (more than 60 persons) most of whom are forced migrants from the Prigorodny District of the Republic of North Ossetia-Alania.

**On 20 March**, the administration of the town of Karabulak handed the inhabitants some notices stating that they should release the occupied premise **before 15 April 2011**. In this respect, the people were offered no other habitation in exchange. Last year, the city’s authorities already made an attempt to vacate this place of compact habitation through court action. However, the application of the city administration was not considered, as they had failed to present title documents to court, confirming their ownership of the building of the former kindergarten. The inhabitants of the place of compact habitation assert that since the time of their occupation of the territory of the kindergarten they have been making their life good and carried out repairs at their own expense. But, it is fair to say that they did not pay for public facilities.

A similar situation has formed in another place of compact habitation, “Ryabinka” [*small rowan tree*], located on the territory of another former kindergarten in the town of Karabulak. 23 families (nearly 120 people) live here, who were also ordered to leave the territory of their temporary habitation **before 15 April**. The people are ready to leave their temporary housing in case “an appropriate habitation”, as they write in their applications, is given to them. Each immigrant family has its particular problems apart from that of the absence of housing, which aggravate their situation. Thus, for instance, an inhabitant of the place of compact habitation “Ryabinka”, **Rustam Borov**, told an employee of Memorial Human Rights Center that before the Ossetian-Ingush conflict his family had lived in the village of Terk of the Prigorodny District. By now, this settlement has been abolished to the fact that according to Decree No.186 of the Government of the Republic of North Ossetia-Alania **as of 25 July 1996** the city of Vladikavkaz was attributed to be “a zone of sanitary protection of drinking water supply sources”. The Borovs failed to get any indemnification. Father of Rustam, **Magomed Borov**, went missing during the conflict, his mother was an oncological patient of the third stage, and his elder brother was an invalid. No indemnification was paid to the Borovs for their lost property in the Republic of North Ossetia-Alania. They had no place to go to

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/04/m244368.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/04/m244368.htm)).

Rumors about the liquidation of the places of compact habitation, which spread quickly in the Republic, provoked some panicky sentiments among refugees. **On 16 March**, without waiting for orders of eviction, the temporarily displaced persons from the Chechen Republic, living in the place of compact habitation “Kristal” [*crystal*] in the city of Nazran, sent an Appeal to President of the Russian

Federation, **D.A.Medvedev**, (copies to Prime Minister of the Russian Federation, **V.V.Putin**, and heads of the Chechen and Ingush Republics, stating their misadventures during the past years. Not less than 30 families of temporarily displaced persons from the Chechen Republic live on the territory of this settlement. The signers of the Appeal informed that since **2009** representatives of municipal and regional administrations of the Chechen Republic have repeatedly visited them, persistently demanding for them to have their names stricken off the migration registration on their own accord and resettle to places of temporary accommodation in the Chechen Republic. However, because of the fact that the places of temporary accommodation in the neighbouring republic were not ready to accept them, the people refused to leave Ingushetia where they had at least some roof over their heads. In the same year of 2009, all temporarily displaced persons from the Chechen Republic were compulsorily stricken off the registration of the Federal Migration Service Directorate of the Russian Federation in the Ingush Republic. Having lost their official status, the people were compelled to pay rent for their temporary housing.

The inhabitants of the places of compact habitation remember some cases when water, gas and electric power supply was disconnected. The de-energisation was carried out by employees of service utilities by an order of Head of the Municipal Administration. They explained their actions by the existence of debts against public utility charges. The temporarily displaced persons perceive such measures as an act of bringing pressure to bear on them for the purpose of forcing *[them]* to leave the occupied premises.

*“In October 2010, President of the Ingush Republic, Yu.-B.Yevkurov, came to our small settlement to visit us. He declared that the problem should be resolved by authorities of the Chechen Republic, whereas he himself could not help them in any respect: the places of compact inhabitation on the territory of the Ingush Republic should be liquidated”,* the inhabitants of the place of compact habitation “Kristal” wrote in their Appeal ([www.memo.ru/2011/03/21/2103111.html](http://www.memo.ru/2011/03/21/2103111.html)).

As of the beginning of the summer, there were no pieces of news about the liquidation of refugees’ places of compact inhabitation in Ingushetia; the acuteness of a problem somewhat faded. At the same time, there is no information that the housing problem of temporarily displaced persons is no longer at an impasse either.

### ***“M.Magomedov's New Course”: a laborious way to civil dialogue***

*In spring 2011*, the leadership of Dagestan, following the course taken after the holding of the Third Congress of Peoples of Dagestan *in December 2010*, carried out a variety of actions aimed at establishing dialogue with the society, in the first place with that part of it which is associated in the Republic with the so-called “wahhabism”, as well as with public forces that are able to become intermediaries in forging contacts between adherents of various interpretations of Islam. In particular, some members of Memorial Human Rights Center managed to meet President of the Republic of Dagestan, **Magomedsalam Magomedov**, twice and communicate to him their vision of the problems in the Republic and ways of their resolving.

The first meeting which took place *on 7 April 2011* in Makhachkala, had been planned long ago. **Oleg Orlov**, **Svetlana Gannushkina**, **Tatyana Kasatkina**, as well as **Sirazhutdin Datsiyev** and **Yelena Denisenko**, members of Memorial Human Rights Center working in Dagestan, took part in the meeting on the part of legal experts. **Ummupazil Omarova**, Human Rights Commissioner in the Republic of Dagestan; **Garun Kurbanov**, Head of the Department of Information Policy and of the Press-Service of President of the Republic of Dagestan; **Kaflan Khanbabayev**, Acting Minister of National Policy, Religious Affairs and External Relations of the Republic of Dagestan; and **Rastivan Bekov**, Adviser of President of the Republic of Dagestan, also participated in the meeting. The meetings of the fellow workers of Memorial Human Rights Center with President of the Republic of Dagestan were preceded by their conversations with **Abdurashid Magomedov**, Minister of Internal Affairs of the Republic of Dagestan; **Kasumbek Amirbekov**, Head of the Investigation Department of the Investigating Committee of the Russian Federation in the Republic of Dagestan; and **Andrey Nazarov**, Public Prosecutor of the Republic of Dagestan. All this enable the legal experts to get a full concept of the republican leadership’s views of the processes going on in the Republic. Minister of Internal Affairs expressed his understanding of the significance of human rights and his readiness to cooperate with non-profit institutions. In a conversation with representatives of Public Prosecutor’s

Office, some differences of opinion arose regarding the subject of permitting lawyers to see arrested persons. The participants agreed on the further discussion of this problem.

Dagestan, despite the highest degree of tension existing in the society, essentially differs from its neighbours in a number of important parameters of the functioning of civil society. As Head of the Republic noted, not without some pride, at a meeting with human rights advocates, Dagestan belongs to few regions of the Russian Federation, where there exists “a very high degree of freedom of mass-media”: here a number of newspapers that freely analyse the situation in the Republic and criticize the authorities, etc<sup>1</sup>, are being published. In Dagestan, there function human rights organisations, which

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<sup>1</sup> In view of this, it is worthwhile to mention that **on 19 May 2011** the criminal trial of five journalists of the socio-political newsweekly “*Chernovik*”, which is popular in the Republic, with its Editor-in-Chief **Nadira Isayeva** at the head, concluded with their full acquittal. The criminal case [was initiated] under Article 282 Of the Criminal Code of the Russian Federation (stirring-up of hatred or antagonism, as well as abasement of human dignity). An initiator of the lawsuit was the Ministry of Internal Affairs of the Republic of Dagestan, which detected a stir-up of hatred towards the police as a social group. The officers of the law-enforcement agencies were especially offended by an analogy drawn between the unlawful actions (incidents of abduction and torture, pillaging and so on) of their representatives and terrorism. In court, the journalists only defended a point of view that they were obliged to criticise the illicit actions of policemen (“*Chernovik*”, 13.05.2011; 20.05.2011). In November last year, N.Isayeva became a laureate of a prestigious human rights prize of Committee for Protection of Journalists, presented to her in Washington (Radio “Voice of America, 19.11.2010).

give a lot of trouble to law enforcement agencies, the work of which criticise mercilessly. At the above-mentioned meeting, M.Magomedov declared that he treated the mission of Memorial Human Rights Center with respect. He knew that the workers of the Human Rights Center were sincerely anxious about the situation with protection of the rights and freedom of citizens and with observance of legislation (“*Kavkazsky Uzel*”, 08.04.2011). At the same time, the human rights advocates were in disagreement with Dagestan’s President in crucial respect regarding a number of issues. For example, at a meeting **on 7 April**, M.Magomedov declared, responding to a demand that terror should be returned for terror, thereby provoking a chain reaction of violence: “*I would disagree that terror should not be returned with terror*”. Inherently, he agrees with the opinion of many inhabitants of Dagestan: “We have such a republic. People are ready to burn houses and take the law into their own hands. The majority of them considers so” (“*Chernovik*”, 08.04.2011). One cannot but regret such a paradoxical combination of peace-making intentions and the heaviest reliance on the confrontational public opinion of the Sufi majority of the Republic in the consciousness of President of the Republic of Dagestan.

The representatives of Memorial Human Rights Center acquainted the leadership of the Republic with O.Orlov and Ye.Sokiryanskya’s detailed Report “**New Course**” of **M.Magomedov? The Situation with Human Rights and Attempts at Consolidating the Society in the Republic of Dagestan. February 2010-March 2011**” (Please see a full text of the Report in [www.memo.ru/2011/04/13/doc.pdf](http://www.memo.ru/2011/04/13/doc.pdf)). The authorities promised to familiarise themselves [with it] and answer to the point. The representatives of Memorial Human Rights Center, in their turn, entered into a commitment to introduce some amendments into the Report regarding the response of the authorities of Dagestan to it ([www.memo.ru/2011/04/11/1104112.html](http://www.memo.ru/2011/04/11/1104112.html)).

**On 13 April**, the Report was presented to the public already in Moscow at a press conference in the Independent Press Center ([www.memo.ru/2011/04/14/1404111.html](http://www.memo.ru/2011/04/14/1404111.html)).

The Report is structured based on the analysis of an extensive actual material collected by members of Memorial Human Rights Center, who have been “closely” working in the Republic since 2007. Throughout the whole period of the work in Dagestan, the human rights advocates were compelled to establish a permanent deterioration of the situation, an escalation of violence, both on the part of the extremist underground and on the part of representatives of the state. However, **in 2010** some new tendencies began to take shape, as yet tentative. They are not materialised consistently enough, but they offer hope.

Firstly, the republican authority tries for the first time to establish new mutual relations with the society, including public and human rights organisations. An important result of the Third Congress of Peoples of Dagestan was the fact that the moderate circles of Salafite communities had an opportunity,

as contrasted with the previous years, to exist in the public expanse. However, during the same period there continued to operate the notorious Law “On Prohibition against Wahhabism”, accepted in 1999, after S.Basayev's march to Dagestan. The law has been actually never put into practice, but it remains to be a bugaboo, a means of pressure exercised on the Salafite community of Dagestan and a factor dividing the Republic into two unequal parts.

Secondly, representatives of the authority interfere with individual cases of infringement on human rights and crimes which are committed by agents of national security. Sometimes they manage to rescue a person and stop their torture, though no system changes yet occur and crimes of representatives of law enforcement agencies are massive in their nature as before. In the Report, great attention is given to some specific examples of incidents of infringement on human rights in Dagestan and some statistical data of cases of abduction and torture recorded by members of Memorial Human Rights Center are adduced. Oftentimes, rights of people are violated while carrying out special operations and eliminating insurgents. At times, peaceful civilians run a risk (such is a scandalous story of the utilisation of an inhabitant of Dagestan, **A.Islamov**, and his pupil in the capacity of “a human shield” while searching for insurgents in the mountains).

Thirdly, a commission for adaptation was created in Dagestan - a body which is called upon to help insurgents who wish to come out of “the woods” adapt to peaceful life. Apart from leading security officials, religious figures and representatives of the public, the commission also includes representatives of moderate Salafite communities.

At a meeting of members of Memorial Human Rights Center and representatives of the authority, a decision was taken regarding the carrying-out of a round table conversation *on 19 May* in Makhachkala, devoted to the subject: “Civil Peace in Dagestan: the Authority and the Society in Search of Surmounting the Crisis”. Subsequently, the format of the meeting was somewhat changed and a visiting session of the Council for Development of Civil Society and Human Rights under President of the Russian Federation was held on *1-2 June* in Makhachkala instead of a round table talk. This was the second consecutive visiting session of the Council following an analogous event which took place in February of the current year in *Yekaterinburg*. At the meeting, it was planned to discuss problems of interconfessional consent, ways of counteraction to extremism and terrorism, as well as the role of institutes of civil society in the struggle against corruption and clannishness. The Makhachkala session was to become a preparatory event for a forthcoming meeting of President of the Russian Federation with human rights activists, planned to be held in *July 2011* in the North Caucasian region.

Chairman of the Council, **Michail Fedotov**, designated the necessity to understand “*not only the problems but the internal reasons for the occurrence of the problems as well*” as a common aim of the meeting (*RIA Novosti News Agency, 01.06.2011*). Several specific subjects were offered for discussion: “*Civil Peace and Intraconfessional Consent*”; “*Role of Civil Society in the Fight against Terrorism*”; “*Observance of Human Rights as an Indispensable Condition of Ensuring Public Safety*”, etc.

The composition of the delegation included some members of the Council: **Lyudmila Alekseyeva**, **Svetlana Gannushkina**, **Kiril Kabanov**, **Emil Pain** [*pa'in*] and others. Besides, President of Dagestan, Magomedshah Magomedov; Chairman of the Commission of the Public Chamber of the Russian Federation for International Relations and Freedom of Conscience, **Nikolay Svanidze**, Human Rights Commissioner of the Russian Federation, **Vladimir Lukin**, Human Rights Advocate, **Oleg Orlov**, were invited to the meeting (*RIA Novosti News Agency, 01.06.2011*). Also, representatives of the Government of Dagestan, representatives of Dagestan's public organisations and independent journalists, particularly Editor-in-Chief of the influential edition “*Chernovik*”, **Nadir Isayeva**, Co-chairman of the Public Organisation “Assistance in Protection of Rights”, **Gulnara Rustamova**, Editor-in-Chief of the newspaper “*Respublika*” [*republic*], **Zaur Gaziyeu**, Co-Chairman of the Dagestanian Regional Public Organisation “*Pravozashchita*” [*human rights protection*], **Aisha Selimkhanova**, etc., took part in the Council's session *on 1 June*.

Head of Dagestan, M.Magomedov, opened the session. He noted that the holding of a visiting session in Makhachkala may be regarded as a token of respect to Dagestan and as a desire to take serious steps towards the improvement of the situation in the Republic (*Radio Freedom, 02.06.2011*). President of Dagestan participated in work of the meeting only on its first day. On leaving it, M.Magomedov admitted: “*I did like everything that has been said...*” (“*Chernovik*”, 01.06.2011). But many participants noted his aspiration to open dialogue and frankness.



Despite the efforts of the moderator of the meeting, M.Fedotov, the people started to raise their voice almost immediately in the course of the conversation. Particularly, N.Isayeva and G.Rustamova were accusing the Dagestan authorities of the fact that they, in their opinion, yielded to agents of national security and let the reins of government in the Republic go, as a result of which the detached agents of national security dominate in Dagestan, who regard their service as a means to cash “*on corpses of Daghestanis*”. They asserted that the inapt and criminal practice of the authorities drove the Dagestan youth to the ranks of insurgents. Chief of Information-and-Analytical Directorate of the Administration of Head of Dagestan, **Garun Kurbanov**, who opposed them, insisted that no dialogue was possible as long as the youth continues to flee to “the woods”. He considers it a task of human rights activists and the public to assist in the matter of making young people go out of “the woods” and lay down arms: “*Let us find a way to track them down (the insurgents), sit down with them and call them for peace*”. In return, N.Isaeyva said that there were no insurgents willing to surrender as there were no guarantees of their cases being considered according to law (“*Kavkazsky Uzel*”, 02.06.2011).

At the second session which took place **on 2 June** representatives of law-enforcement departments, of lawyers’ community, journalists and human rights advocates addressed the meeting.

“The price of human life in Dagestan is incommensurably lower than that in the rest of Russia. We kill each other easily thinking that we can solve all our problems in doing so”, Editor-in-Chief of the newspaper “Respublika”, **Zaur Gaziye**v (“*Kavkazsky Uzel*”, 03.06.2011) set the style of the discussion.

Representatives of law enforcement agencies (Assistant Head of the Investigating Committee of the Russian Federation in Dagestan, **Aleksander Glushchenko**; Chief of the Department of the Directorate of General Prosecutor’s Office in the North Caucasian Federal District, **Olga Menshikova**, Assistant Head of the Directorate of the Federal Service for Execution of Sentences in the Republic of Dagestan, **Magomedrasul Murtazaliyev**; Deputy Minister of the Ministry of Internal Affairs, **Magomed Abdulkerimov**) who spoke at the meeting established that the criminogenous situation in the Republic and in the North Caucasian Federal District as a whole was extremely grave: 75 thousand crimes had been committed for the past year in the Federal District, out of which one third were grievous and especially grave; the number of murders had increased sharply; more than 2 thousand incidents of abduction had not been solves. In this regard, the law-enforcement system does not cope with such a great volume of work despite the fact that “*a comprehensive set of measures has been developed and special investigatory departments for inquiring into crimes of corruptional nature and those of organised criminal groups, etc., have been established*”. According to A.Glushchenko, the citizens do not render any proper assistance to law enforcement agencies: “*I have considered five thousand complaints, and some specific people were indicated only in single instances. We took some appeals of human rights activists and public organisations. There were only two surnames of officers. We parted with them easily*”. According to O.Melnikova, the fight against corruption has actually failed: “None of the people who were brought to trial for the embezzlement of millions from budgetary funds that subsidise various programmes – and approximately 300 persons are taken to court annually - got a real penal (“*Kavkazsky Uzel*”, 03.06.2011).

The past year was marked by an outburst of violence with respect to lawyers. The impunity which was enjoyed by representatives of law enforcement agencies after the beating-up of Lawyer Sapiyat Magomedova, was a reason for frequent reiteration of cases of application of of force with regard to lawyers.

Lawyers and human rights advocates also argued against the practice of transferring convicted Daghestanis to other regions of Russia where officers of the Directorate of the Federal Service for Execution of Sentences, as a rule, who “took part in the Chechen war” in their time, brutalise condemned Moslems in every possible way, diminish their religious feelings and sometimes drive *[them]* to suicide. However, a representative of the Federal Service for Execution of Sentences explained that according to legislation people convicted under Article 317 (attempting the life of a law enforcement officer) should serve time far from their native land (“*Chernovik*”, 01.06.2011).

The holding of the visiting session of President’s Council of Human Rights drew a big response among inhabitants of the Republic. **On 1 June**, several hundreds of inhabitants of Dagestan gathered near the Avarian Theatre in Makhachkala. They demanded to hold a meeting with representatives of the Council in order to tell them about their problems and proposals for their settlement. The participants of the session proposed for them to form a working group of five persons which would be

invited to the session. The people complained, in particular, about the situation concerning safety in the Republic. The councilors promised to communicate the requirements of inhabitants of the Republic to President of the Russian Federation during a forthcoming meeting in **July 2011** (RIA Novosti News Agency, 06.01.2011).

Apart from the described events with the participation of members of Memorial Human Rights Center, some more forums took place last spring. They were also aimed at establishing dialogue with the society, reviving horizontal relations between inhabitants of the Republic and various social groups. Within the framework of the development of the decisions taken by the Third Congress of People of Dagestan **on 25 April** in Makhachkala, a Forum under the name of **Republican Civil Dialogue “Way to Peace and Consent”** was held. Among the participants of this meeting there were imams of towns and cities of Dagestan, representatives of the Republican Government, public figures and journalists, such as **Mukhammadrasul Saaduev**, Imam of the Central Mosque of Makhachkala; **Bekmurza Bekmurzayev**, Minister of National Policy and Religious Affairs; **Sulaiman Uladiyev**, Vice-Mayor of Khasavyurt and others. The latter is considered to be a compromise figure that suits all socio-religious camps of the Republic; and he was appointed moderator of the forum. The floor was given to representatives of the Salfite community as well, particularly to **Abas Kebedov**, Co-chairman of the organisation “Territory of Peace and Consent”; Poet **Adallo**; Imam of *the village of Kayakent*, a representative of the organisation “Akhlyu-s-Sunna val-Jamaa” **Kamil Sultanakhmedov**. They assured that adherents of the Salafite trend of Islam are ready for dialogue and religious debate and they did not want on any account to compel anyone by force to share their point of view. They called attention to the fact that all Moslems are brothers irrespective of differences in ideology and ritualism and that general soullessness and disbelief were at the bottom of the present situation (“Chernovik”, 29.04.2011).

Earlier, **in February** and **in the beginning of March 2011**, an expert group of members of the Public Chamber of the Russian Federation and specialists in matters of the North Caucasus, led by Journalist Maksim Shevchenko, worked in the Republic. The participants of the project proposed that *“after a discussion, all public and religious forces of Dagestan should sign a memorandum of joint counteraction to violence, extremism, international discord and of support of peace-making process”*. The delegation carried out some public hearings almost in all towns and cities of the Republic during its stay. Republican officials clung to the Moscow visitors all the time, namely Head of the Department of Information Policy and of the Press-Service of President of the Republic of Dagestan, **Garun Kurbanov**, and Head of Committee for Press and Mass Communications of the Republic of Dagestan, **Umar-OsmanGadzhiev**. Nevertheless, the discussions proceeded openly, and as a rule inhabitants of villages, towns and cities actively participated in the dialogue, openly criticising both the local and the republican authorities.

Despite the attempts of President of the Republic of Dagestan to establish dialogue with all public groups including those which are considered to be hostile to the Government and offer people something better instead of confrontational psychology, there are a lot of obstacles on the way of such dialogue. The “shallow” character of Dagestan’s reformism, with the mechanisms of mutual trust and interrelation with various strata of the society and rank-and-file executives almost completely dead, makes such reforms ineffective and resolutions declarative and empty.

The population does not trust the authority; law enforcement agencies continue to exercise their despotism with respect to “unreliable” persons at the local level (for more detail please see below), the more so that President of the Republic of Dagestan himself publicly accepts retaliatory terror with regard to insurgents and their accomplices in his rhetoric. One cannot but notice either that M.Magomedov appears to be a hostage of the public opinion established in Dagestan. For example, after the dialogue with the Salafites began last year, an issue of the cancellation of an “anti-Wahhabite” law, which is discriminatory to them and which was adopted soon after S.Basayev’s march to Dagestan in 1999, instantly appeared on the agenda. Now this law practically does not operate; the Salafite exist in Dagestan openly; however formally they continue to operate illegally. Glancing back at the strong support of the law on the part of Sufi sheikhs and on the part of the Sufi majority of Dagestan, M.Magomedov is compelled to tell strange things: *“It is no trouble at all for us to abolish this law. Moreover, this law has no force, not a single man has been convicted and cannot be [convicted]. Simply, it was adopted in 1999 after our Republic was attacked by international terrorists and Wahhabites led by Shamil Basayev...”* (“Chernovik”, 04.03.2011).



One more brainchild of President of Dagestan, M.Magomedov, i.e. the Commission under President of the Republic of Dagestan for Adaptation of Insurgents Who Lay Down Arms, is obviously not operating at full capacity so far. In the latest (winter) Bulletin, we analysed in detail the process and the results of the first sessions of the Commission. By the end of the spring, when already half a year had passed since the date of the establishment of the Commission, the situation did not change: the Commission is still busy merely with “para-extremist” cases: those of inhabitants of Dagestan, who serve short terms of imprisonment under Article 208 or Article 222 and are translated to Siberian and Ural colonies where an almost inevitable stiffening of conditions of punishment is in store for them; of emigrants who are afraid of returning to their native land amid fears of being prosecuted by law enforcement agencies; of natives from other regions of Russia who heard an earful of **Said Buryatsky**’s speeches on the Internet, arriving in Dagestan in pursuit of romanticism of Jihad and at once finding themselves in the hands of law enforcement agencies; and of other young men who lost their way (*“Chernovik”*, 04.03.2011; 25.03.2011, the website of the Ministry of Internal Affairs of the Republic of Dagestan, 01.03.2011). The insurgents proper have not yet applied to the Commission. In the estimation of most people, the main reason for this is the absence of firm guarantees of the observance of legality while carrying out an investigation during a voluntary surrender of insurgents. Until now, persons suspected of communicating with insurgents have been legalised under the personal guarantee of R.Kurbanov who has not deceived anyone so far.

Nevertheless, the Republic’s leadership continues to believe in the idea of insurgents’ voluntary surrender. The Commission is being institutionalised: **on 25 April 2011**, Decree No.62 of President of the Republic of Dagestan was published. It stated: “On the Approval of the Regulations for the Commission under President of the Republic of Dagestan for Rendering Assistance in the Adaptation to Peaceful life of Persons Who Decide to Stop Their Terrorist and Extremist Activity on the Territory of the Republic of Dagestan” (please see the full version of the document: <http://president.e-dag.ru/dokumenty/ukazy/>). The status of the Commission in the Regulations which came into force as of the date of their signing is defined as “a constantly operating consultative and advisory body” that ensures the interaction of authorities of all levels among themselves and with public organisations for the purpose of resolving issues connected with rendering assistance to persons who decide to terminate their terrorist and extremist activity on the territory the Republic of Dagestan. In this regard, by the Regulations envisage that the Commission’s sessions are to be held “as required”, and its decisions are of recommendatory nature.

Simultaneously, these Regulations not only allot to the Commission tasks of assisting specific persons wishing to obtain legal status (which the Commission has been busy doing until now) but also issues of general character concerning the strategy of the development of the Republic: preparing legislative initiatives in the field of the struggle against extremism and terrorism, “considering questions connected with the creation of prerequisites of resources and organisation for overcoming the growth of terrorism and extremism on the territory of the Republic of Dagestan”. The Commission not only promotes legal, social and domestic adaptation of former insurgents and their accessories, but also provides President with “analytical materials and reports”.

The most interesting thing is that the function of filing complaints of citizens concerning their complaints “about facts of infringement of their rights and freedoms during the carrying-out of operations of counteraction to extremism and terrorism” is also given to the Commission for the adaptation of insurgents who lay down arms.

Thus, the authority of the Commission for Adaptation, which were confirmed by the Regulations, has been substantially expanded and practically involve all aspects of the struggle against extremism and terrorism, including the human rights protection aspects of this activity as well.

One may speak with reason about the institutional formation of the Commission for Adaptation, whereas the organisational basis of its work yet leaves much to be desired. It has had no clear-cut plan of work so far, and there is no office and no working staff. As A.Kebedov, a member of the Committee, noted, “the Commission, in my opinion, is holding its ground only because of the energy and enthusiasm of the First Vice-Prime Minister, **Rizvan Kurbanov**” (*“Novoye Delo”*, 25.03.2011). At the same time, there is no similar body for legalisation of insurgents in the neighbouring republics and even a modest result is better than none. An addition of authoritative representatives of the public could lend credibility to the Commission for Adaptation. This was spoken about at the meeting of members of Memorial Human Rights Center with President of the Republic of Dagestan.

Maybe public initiatives aimed at settling interconfessional problems are more important than the activity of any state commissions. Unfortunately, such initiatives has been sporadic so far.

In Dagestan, there are many villages (jama'ats) divided by religious contradictions into two parts. Sometimes it comes down to open collisions involving use of weapons. One of such "divided" villages is *Kara-Tyube* in the zone of distant-pasture cattle tending in *the Bezhtinsky Area of the Tsuntinsky District* (the Bezhtinsky Area is a unique administrative formation in the Russian Federation. It has existed since 1992). As the edition "Novoye Delo" informs, every year a football tournament is held in the village Kara-Tyube for contesting the prize of Head of the Bezhtinsky Area, **Rizvan Kurbanaliyev**. In the village, there live representatives of both Sufi and Salafite Islam. Last year, because of the carrying-out of a special operation, the football tournament was cancelled, and tension was growing in the village. However, in 2011 they managed to resume the tournament due to a common agreement. According to R.Kurbanaliyev, thanks to sports competitions, "now the village is consolidated, and we have found points of coincidence. Earlier, Magomed the Sufist did not talk to Isa the Salafite, now we are together, everyone adheres to his own views, and nobody should impose his views on someone else. After the counterterrorism operation, the situation in the village was tense, and the groups were searching for informants in each other's ranks. Then, due to the efforts of the Jama'at they reached a consensus of opinion: nobody should be forced, everybody should agree to differ and live peacefully, without opposing the state". As a result, the whole village is now applying to Head of the Commission for Adaptation, R.Kurbanov, for their fellow countryman who is serving time for his involvement in the activity of an illegal armed group and who has expressed his repentance. Earlier, villagers having opposite religious views were training in different corners of the football ground, and now teams of different age groups delegated from the village are mixed. ("Novoye Delo", 22.04.2011).

### ***Dagestan: the abductions followed by "preventive measures"***

As the following chapter shows, today's reality in Dagestan is developing, as it were, in two dimensions: on the one side, President of Dagestan actively interacts with the part of the society which represents 'Wahhabites', attracting general public to this dialog, including human rights activists. He is also creating a special institution for socialising young people who abandon confrontation, namely Committee for Adaptation. His intentions are naturally very good but the reality shows that the process stops downright at a level of mere declarations because the policy which is being pursued in the field is different and fundamentally opposite, with all ensuing consequences. A reciprocal war between insurgents and law enforcement agents, aimed at annihilation, continues without any limitations, whereas the peaceful population becomes involved into this war against its will and suffers from it.

**On 1 March 2011**, at 13.00, a certain **Magomed Gazimagomedovich Gaziye**v, born in 1992 was abducted in *Lenin Street of the settlement of Shamkhal, Makhachkala*. When he was standing in the street talking to his friends, two UAZ cars and a silver-coloured Model-14 Lada car which had no identification numbers, approached them. Some people dressed in civilian clothes got out, seized Magomed and drove him away without explaining anything and not presenting any identification documents.

Immediately after the abduction, Magomed's father, **Gazimagomed Akhmedovich Gaziye**v, and his sister, **Zulfiya Magomedova**, lodged a written complaint with the Department of Internal Affairs of the settlement of Shamkhal. The police officers said that they did not know anything about the abduction and that they were not in the know whether a special operation had been carried out in the settlement. Magomed's elder brother, **Shamil Gaziye**v, born in 1988, was convicted not long ago of his involvement in the committal of a terrorist act in *the town of Kizlyar on 30 March 2010*. The Gaziye

family confess a Salafite trend of Islam, thus, they assumed that the law enforcement authorities were taking an interest in their affairs ([www.memo.ru/2011/03/02/0203111.html](http://www.memo.ru/2011/03/02/0203111.html)). Currently, M.Gaziye

v has been found and he is on remand. The investigating authorities believe that he was preparing a demolition explosive by grinding some niter in a coffee-mill.

**On 9 March 2011**, around 15.00, a certain **Rustam Kurbanaliyevich Kurbanaliyev**, born in 1971, living in 59, *Naberezhnaya Street in the village of Sultanyangiyurt of the Kizilyurtovsky District of the Republic of Dagestan*, was abducted by some unknown armed people wearing masks. The

abductors stopped a taxi in which Rustam was going from his home to Kizilyurt and took him away. Next day, the representatives of the Ministry of Internal Affairs told his relatives that they had not carry out the arrest of R.Kurbanaliyev. According to Rustam's relatives, he had been repeatedly summoned to the Kizilyurtovsky Department of Internal Affairs, where he had been detained for several hours but then released with a view of his not being involved in any crime. We would remind that Rustam Kurbanaliyev gave his witness testimony to Memorial Human Rights Center in the case related to the murder of his friend, **Shamil Aliaskhabov**, who had been officially accused of committing a suicide explosion. ([www.memo.ru/hr/hotpoints/caucas1/msg/2011/02/m238546.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/02/m238546.htm), [www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m240383.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/03/m240383.htm)).

A member of the Council for Promotion of Institutions of Civil Society and Human Rights under President of the Russian Federation, **Svetlana Gannushkina**, contacted Dagestan's Deputy Minister, **Rizvan Kurbanov**, and told him about the abduction of the witness of the murder. A fax was sent to Head of the Department of Internal Affairs. On the same evening, some police officers rang up R.Kurbanaliyev's relatives informing them that he was found and that he was in *the Kazbekovsky District* in the police division of *the village of Dylym* and that he was fine. They promised to release him next day, if his relatives withdrew their complaint regarding his abduction. The father was allowed to meet his son. **On 16 March 2011**, R.Kurbanaliyev was released on the security. He was accused of illegal bearing and keeping of weapons (Article 222, Part 2). As R.Kurbanaliyev asserts, a pistol was planted on him during his abduction.

**On 20 April 2011**, there disappeared an inhabitant of *the village of Gubden* of the *Karabudakhkentsky District* of the Republic of Dagestan, **Magomed-Ali Ilyasovich Ilyasov**, born in 1989, on his way home from *the city of Makhachkala* ([www.memo.ru/2011/05/05/0505111.html](http://www.memo.ru/2011/05/05/0505111.html)).

It is common knowledge that some officers of the Karabudakhkentsky Department of Internal Affairs gave a ring to his mobile phone and asked him to go there and fetch a hard disk that had been confiscated during a house-check in his house in the process of a counterterrorist operation **on 23 March 2011**.

Magomed-Ali told his relatives by the phone about his summon to the Department of Internal Affairs. He had some doubts whether to go there or not. Nothing is known about Magomed-Ali's further actions. After that, he did not contact anyone and did not answer any phone calls. Ilyasov's car was found on 26 April near *the village of Utamysh* of the *Kayakentsky District*. The car identification number plate was in the boot, as well as his mobile phone.

**On 23 May**, a director of a farm and his workers and shepherds found the disfigured and half-decayed corpse of Ilyasov near *the village of Mekegi* of the *Levashinsky District* at the edge of a precipice. Magomed-Ali was killed by shooting in the back and head, after which his body was thrown into the precipice. Some traces of violence were visible on the corpse: his shanks had been smashed; there were some clearly visible holes from blows inflicted with a sharp object; his head was disfigured and his eyeballs absent. A criminal case on the grounds of Article 105 (a murder) of the Criminal Code of the Russian Federation was initiated. ([www.memo.ru/2011/05/26/2605113.html](http://www.memo.ru/2011/05/26/2605113.html)).

One more flagrant case was described by correspondents of the weekly newspaper "*Chernovik*".

A certain **Aminat Sirazhudinova** applied to the Dagestanian Regional Public Organisation "*Pravozashchita*" [*human rights protection*] and the editorial staff of "*Chernovik*". She reported that **on 30 April, around 8.00**, her house was encircled by some armed people dressed in camouflage uniforms and wearing masks and drew a bead on the house. They were standing along the whole perimeter of the house and shouted demanding that everyone who was the house should come out. The owner of the house, **Shuaibgadgy Magomedov**, opened the door saying that there was nobody in the house except for him, his pregnant wife and two kids. The masked people immediately tied his arms up and took him out beyond the gate not explaining anything. There, they made Shuaibgadgy lie on the ground and started to beat him with their legs, having put a bag over his head. Everything in the house was turned upside-down and broken. After that, they left taking S.Magomedov with them. Soon, some other people dressed in civilian clothes came; carried out a repeated house-check and a short time later "found" some ammunition. The Magomedovs' relatives believe that the ammunition was planted in the house during the first house-check. The old mother of S.Magomedov, **Zuleikha Abdulzhalilova**, was also arrested. According to her, she was subjected to humiliation and battery in the Municipal Department of Internal Affairs of Kizlyar. Her house also underwent a destructive house-check ("*Chernovik*", 06.05.2011). Currently, S.Magomedov is on remand.

According to observations of human rights activists and independent local journalists, in recent months law enforcement agencies of Dagestan carried out mass arrests and battered young people in increasing frequency, quite often during or immediately after the obligatory Friday prayer. According to official explanations (if such are given), such measures are taken for a **preventive purpose**: as a rule, none of young people are detained to be kept for a long time. Law enforcement officers merely fingerprint, photograph them and ask about their affairs, friends, etc. The National Counter-Terrorist Committee gave the following official explanation concerning one of similar exercises, which took place in the village of Gubden **on 23 March**: *“Precautionary and preventive work was organised in the village jointly with the local self-government institutions, directed at persuading young people to abandon their involvement in the activity of insurgents and their rendering of accessorial assistance to bandits. The Operations Headquarters of the Republic of Dagestan states that carrying out such actions present one more step towards neutralisation of the activity of the bandit underground in the Northern Caucasus”*. (“Rossiyskaya Gazeta”, 25.03.2011).

However, according to numerous testimonies, such “precautionary and preventive activities” are quite often accompanied by incidents of battery and insulting of visitors of the mosque. Young people and their parents fear not without reason that once youngsters come into the view of law enforcement officers during some “preventive operation” in the course of which they are compulsorily registered, they risk to become a permanent object of prosecution. Memorial Human Rights Center express their serious concern about this occurrence and remind that such actions of the police are fraught with threats of an escalation of the civil confrontation in the region. Similar actions of law enforcement agencies with respect to members of the Salafite community in the Republic of Kabardino-Balkaria provoked an armed march-off in Nalchik **in October 2005**. The Republic’s authorities set aside any explanations of the situation, with the exception of skepticism expressed by President of Dagestan at a meeting of the Council for Development of Civil Society on 1 July regarding events in the village of Sovetskoye, which will be discussed in the text below. President of Dagestan proposed rather not to draw conclusions concerning the occurrence prior to relevant agencies’ collorary (“Chernovik”, 01.06.2011).

In the course of spring, several large-scale “preventive actions” took place in Dagestan, which fact enables one to come to a conclusion regarding a certain system of measures and on “one more step” of law enforcement agencies at the antiterrorist front.

**On 18 March**, a police raid was carried out in *the settlement of Shamkhal, the suburb of Makhachkala*. According to the edition “Chernovik”, some power structures completely blocked the settlement on that day, which arrested some dozens of people who were in a mosque (two mosques have been operating here since 2007, one of which is Salafite) and took them away in an unknown direction. The mosque was surrounded with armoured troop-carriers with unjacketed machine guns; the detentions started right after the ending of a prayer. Journalists who visited the scene witnessed some large-scale special operations conducted by agents of national security. They managed to find out from talks with local residents that those who were praying in the small mosque called “Wahhabite” were taken away to the police station. Then the officers proceeded to making their street-by-street rounds. Many ordinary inhabitants of Shamkhal would say that anyone of them could “pass for a Wahhabite” in case this became necessary for agents of national security. The journalists of “Chernovik” assert that the operation was being carried out by some attached officers of law-enforcement structures; there were no Dagestans among them. Even Deputy Minister of the Ministry of Internal Affairs of the Republic of Dagestan and **M.Tagirov**, Head of the Administration of the Settlement of Shamkhal were not permitted to pass through the cordon. According to the edition, totally up to a hundred of the inhabitants of Shamkhal were detained on that day (“Chernovik”, 25.03.2011).

According to “Chernovik”, some special operations similar to those occurred in Shamkhal were being carried out by agents of national security in the beginning of March in some villages of *the Untsukulsky District*, namely *Gimry, Shamilkala and Balakhani*, as well. And in the Kizlyar District, agents of national security detained about 50 young men during their targeted checks on the same days (“Chernovik”, 25.03.2011).

**On 23 March**, the inhabitants of *the village of Gubden* were subjected to similar measures. In accordance with some official information of the National Anti-Terrorist Committee, *“as a result, 33 units of fire-arms (including 7 pistols), a loaded machine-gun belt, more than 300 items of ammunition, seven instruments for night reconnaissance were withdrawn from illicit traffic. Besides, a*

sought-for KAMAZ lorry and a Lada-Priora car with counterfeit documents were found out. One person who had been on the wanted list was detained. All in all, as per the same data, about 40 persons were brought to the police division" (*"Rossiyskaya Gazeta"*, 25.03.2011). According to stories of local residents, the village was completely blocked by servicemen. People were informed over loudspeaker in the mosque that anybody was allowed into the street and the doors of houses should be held open, otherwise they would be broken open. Agents of national security carried out their courtyard-by-courtyard rounds using dogs. About 50 persons were detained, with which the same procedures as in the case of the residents of Shamkhal were carried out. (*"Chernovik"*, 25.03.2011). According to the edition *"Novoye Delo"*, up to 150 persons were arrested in Gubden, who were on file. They were taken to the settlement's local police department, and law enforcement officers took the blood of relatives and close ones of insurgents for an DNA analysis. According to official data, as a result of the checks, smooth-bore guns and rifle-bore hunting weapons were withdrawn due to an infringement of rules of their storage and periods of their registration. Two cars which had been registered as stolen were found out; and one citizen was detained (*"Novoye Delo"*, 25.03.2011).

An analogous "preventive action" was recorded by Memorial Human Rights center as well. It took place in the village of Sovetskoye of the Magaramkentsky District. 49 inhabitants of the village of Sovetskoye lodged a written application with Memorial Human Rights Center. They informed that up to 80 police officers burst into the local mosque at 13:30 **on 13 May**, during a Friday prayer, where there gathered more than a hundred representatives of the Salafite community from different villages of the district. They cordoned off the mosque, forced the people to stop their prayer and made everybody to leave the building. Employing violence, they shoved people (totally numbering up to 80 persons) into cars and carried them away to the Magaramkentsky District Department of Internal Affairs. There they separated the people to different offices, without explaining them the reasons for their detention and without bringing any charges. Everyone was beaten-up with bludgeons and plastic bottles containing water. Local residents inform that some under-aged schoolboys were also manhandled. All the officers of the power structures, who took part in the battery, were wearing masks. Using force and threatening, they cut beards of the arrested persons and the hair on their heads. They demanded that the detainees should not visit that mosque and keep company with Salafite youth ([www.memo.ru/2011/05/17/1705113.html](http://www.memo.ru/2011/05/17/1705113.html)).

People subjected to similar sessions of "interrogation", humiliation and (or) beating were released. No protocol of administrative detention or any other documents were given to the released people. Some persons from among the battered people applied to a hospital and received certificates stating traces of beating present on their bodies, namely hematomas and bruises.

According to some schoolboys, members of Memorial Human Rights Center got to know that **on 14 May** the principal of the school of the village of Sovetskoye and some police officers were going around the school and warning schoolgirls "not to put on a hijab [headscarf] and to wear a skirt overknee", otherwise they threatened to undress offenders by force

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/05/m249235.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/05/m249235.htm)). In an interview to the Dagestan edition *"Novoye Delo"*, a director of a local school, **Sidikullakh Akhmedov**, emphatically declared that there is no place in his school for pious youth and girls wearing long dresses and headscarves. In this regard he referred to the charter of the school, which regulated the form of school clothes (*"Novoye Delo"*, 20.05.2011). According to some information of the edition, the cause of the conflict rooted in the fact that the praying youth had allegedly squeezed elderly people out of the mosque. Until recently (approximately till 2008), both the young generation and the old one have been almost indifferent towards spiritual life, and the single mosque in the settlement has been empty. The elderly people began to rebel after the newly-proselyted youth which was growing in their number began to pay less and less attention to them at school. Some similar information was collected by members of Memorial Human Rights Center. In the village of Sovetskoye there live up to 5 thousand people. Until quite recently, not more than 20 elderly people have attended the Friday prayer. After 2005, a new group of believers represented by local residents, mainly young men professing the Salafite trend in Islam, singled out in the village. As of 2011, the total number of this group made nearly 80 people. This group did not conflict with the authorities; police officers did not raise any claims against them until 13 May. During a conversation of members of Memorial Human Rights Center with Head of the Administration of the village of Sovetskoye, **Sergey Khedirov**, which took place **on 3 June 2011**, Head of the Administration informed that he had not presented and did not present any claims to that group of believers and to its leader.



A conflict situation arose between two groups of believers. “The new community” which constituted a majority of believers as of the end of 2010, who regularly visited the mosque, elected a new imam of the mosque according to norms of Islam, whom “the traditional community” did not want to accept. In the beginning of spring 2011, a new chief of the District Department of Internal Affairs was appointed in the Magaramkentsky District. Probably, he decided to interfere with that conflict with a view of “taking preventive measures against extremism” through the use of force. It is obvious that similar “preventive measures” may lead but to opposite results.

20 persons lodged their complaints with the Investigating Committee in the period following their detention *on 13 May*. Now, a criminal case upon an excess of powers of office committed by officers of the Magaramkentsky District Department of Internal Affairs has been initiated, which is being investigated by Inspector of the District Investigation Directorate of the Investigative Department under the Investigating Committee of the Russian Federation in the Republic of Dagestan. As a lawyer representing the interests of the applicants managed to find out, in the process of the investigation of the criminal case it came to light that the operation carried out by the police had not been formalised in any fashion; the conveyance of the detained persons to the District Department of Internal Affairs had not been recorded; the visit of the officers of the District Department of Internal Affairs to the village of Sovetskoye had not been formally established at all. That is to say, this operation was initially unlawful, even without considering the facts of battery and humiliation of the persons brought to the District Department of Internal Affairs.

However, according to the impressions of the aggrieved persons and their lawyer, the Inspector does not strive to investigate the occurrence objectively. They express fear that the officers the District Department of Internal Affairs will be relieved of their responsibility. Such a progression of events would carry the most negative consequences for the development of the situation in Dagestan

([www.memo.ru/hr/hotpoints/caucas1/msg/2011/05/m249235.htm](http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/05/m249235.htm)).

The “preventive work” in the northern outskirts of Dagestan has its own peculiarities. In *Yuzhno-Sukhokumsk*, a hair-trigger situation was formed in connection with a conflict between adherents of traditional Islam and Salafites, as was reported in winter summaries of information of Memorial Human Rights Center. It would come to scuffles and fire-fights. In this regard, police authorities actively acted on the side of Sufis. After that, the Republic’s leadership decided to carry out some “*preventive measures for counteracting terrorism*” in the town (*RIA Dagestan*, 04.04.2011). The actions were being conducted by forces of the Administration and of the Municipal Department of Internal Affairs. According to Assistant Head of Town, **Lyubov Panteleyeva**, “*all the persons who cause suspicions of law enforcement agencies and authorities are under supervision; expository talks are regularly conducted with young people, involving representatives of the clergy and law enforcement officers*”; a special attention is being given to schools so as “*to rescue teenagers*” from the influence of Salafites (*RIA Dagestan*, 04.04.2011).

People were being actively detained this spring in *the Tsuntinsky District*. In particular, two inhabitants of the villages of Elbok and Kitlyarata in *the Tsuntinsky District of the Republic of Dagestan*, **Magdi Aliaskhabovich Ramazanov**, born in 1989, and **Gamzat Ramazanovich Gamzatov**, born in 1986, were detained in the administrative centre of the district, namely in *the village of Kidero on 11 and 13 April 2011* ([www.memo.ru/2011/04/19/1904113.html](http://www.memo.ru/2011/04/19/1904113.html)). Both the young men were brought to the police division of the village of Kidero. ***M. Ramazan was transported to Makhachkala on 14 April by helicopter. On 18 April 2011, at 19:00, he was released from a temporary detention facility of Makhachkala. G. Gamzatov was found out in one of the temporary detention facilities of Makhachkala, and his lawyer was allowed to see him***

([www.memo.ru/2011/04/19/1904114.html](http://www.memo.ru/2011/04/19/1904114.html), [www.memo.ru/2011/04/19/1904113.html](http://www.memo.ru/2011/04/19/1904113.html))

***On 19 April***, some officers of the Investigation Directorate and of the Ministry of Internal Affairs of the Republic of Dagestan arrived at the village of Kidero for carrying out a search in the houses of **Magomed Magomedovich Abdulkhalikov**, born in 1977; **Shakhban Akhmedovich Magomedov**, born in 1984; and **Magomed Nazhmudinovich Magomedov**, born in 1978. They all were arrested based on the results of the searches. According to their relatives, some pistols with obliterated numbers were planted on the first two persons mentioned above. In the case of Magomed Magomedov, his numerous relatives dogged the law enforcement officers’ footsteps during the search and this fact did not allow, as they considered, for the officers to plant any weapons in their house. Shakhban Magomedov ran away on the way to the police division, and his whereabouts is not known. The other persons were taken away by the policemen in an unknown direction

### ***New decisions of the European Court of Human Rights regarding the Northern Caucasus***

During **the spring of 2011**, the European Court of Human Rights passed ten decisions on cases concerning the infringement of human rights in the Northern Caucasus. Complaints of 65 applicants were satisfied. In all the considered cases except one (the Tsechoyevs versus Russia) the applicants are inhabitants of the Chechen Republic. In six cases (those of Khambulatova, the Tsechoyevs, Emukhambetov, Matayev, Dadayev, Malika Alikhadzhiyeva and the Mamayevs versus Russia), interests of the applicants were represented by lawyers of Memorial Human Rights Center (at the national level the applicants were represented by Dokka Itslyayev, Lawyer of Memorial Human Rights Center) together with some legal experts of the European Human Rights Advocacy Center (EHRAC); while in the other litigations the non-governmental organisation “Legal Initiative in Russia” stood for the declarants.

The total indemnifications disbursed according to decisions of ECHR in spring 2011 made up an unprecedented amount: **2 679 000 euros** for a moral damage; **284 250 euros** for a material damage and **22 301 euros** for the compensation of litigation expenses. We would notice here that the former record of payments was only achieved during the winter of 2010/2011. At that time, the Russian Federation was obliged to pay **2 305 000 euros** for a moral damage, **59 000 euros** for a material damage and **42 873 euros** for the compensation of litigation expenses following the results of the consideration of ten affairs likewise.

All in all, 171 judicial decisions on cases concerning the infringement of human rights in the confrontation zone of the Northern Caucasus have been taken **since February 2005**.

#### ***Khambulatova versus Russia (the decision was made on 3 March, 2011)***

**On 18 March 2004, around 2.30 in the morning**, a group of armed people broke into the house of **the Khambulatovs** in the *stanitsa [a Cossack village] of Savelevskaya of the Naursky District of the Chechen Republic*. They searched the house and made a certain **Timur Khambulatov** get up. They handcuffed and seated him in a car and carried him away. In the morning of **19 March 2004**, Timur was found dead in a chamber of the Internal Affairs Department of the Naursky District. A forensic medical examination recorded numerous abrasions and bruises, as well as traces of beating on Timur's body, however his old heart trouble and not these traumas were proclaimed to be an official cause of his death. They repeatedly refused the request of Timur's mother, **Aminat Khambulatova**, to carry out an independent expert examination which could reveal some other possible causes of the death of her son.

A criminal case on the grounds of T.Khambulatov's death was initiated only three months after his death. It was several times suspended and transferred to another investigatory department. Some documents concerning the nature of the injuries and mutilations inflicted to Khambulatov disappeared from the materials of the case. Evidence of different witnesses regarding the infliction of the mutilations to Khambulatov appreciably contradicted each other.

The European Court adjudged the Russian authorities to be responsible for the law enforcement agencies' inhuman treatment of T.Khambulatov and for the authorities' failure to investigate the circumstance of his death. The Court ascertained an infringement of Article 2 (a right to life), and Article 3 (prohibition of inhuman treatment) of the European Convention on Protection of Human Rights and Basic Freedoms.

The Court decreed that **35 000 euros** as an indemnification for a moral damage and a remuneration for litigation expenses in a sum of **2 288 euros** should be paid to the family of the Applicant.

#### ***Tsechoyev against Russia (the decision was made on 15 March 2011)***

In the night-time, **on 23 October 1998**, some unknown people dragged out a certain **Suleiman Tsechoyev** out of his house in *the village of Sagopshi of the Malgobeksky District of Ingushetia* and carried him away in an unknown direction. Two weeks later, **on 6 November**, Assistant Public

Prosecutor of the Malgobeksky District, **M.Yevloev**, confirmed in a conversation with the relatives of Suleiman that on the basis of his decision S.Tsechoyev was arrested by officers of the Regional Directorate for Combating Organised Crime on suspicion of abducting a relative of a high-ranking employee of the Company "Lukoil".

**In December 1998**, during a conversation, M.Yevloev demanded that Suleiman's brother, Ruslan, should pay 6 000 dollars for releasing his brother. Otherwise Evloev threatened to convoy Suleiman to the Regional Directorate for Combating Organised Crime of the city of Nalchik where, as he said, Suleiman would be subjected to the most severe treatment. After Ruslan refused to transfer the money, Suleiman was convoyed to Pre-Trial Detention Centre No.1 of Nalchik.

**In July 1999**, Ruslan and other relatives managed to obtain a permit to see Suleiman. He was in a very bad physical state, also because of continual beating. Suleiman told his brother that **in February 1999** they took him on several occasions from the Internal Affairs Department of the Malgobeksky District and cruelly beaten, forcing him to admit a crime. Suleiman also informed that M.Yevloev took part in his beating personally.

**On 23 August 1999**, four persons who were not later established by the investigators and who introduced themselves as officers of the Internal Affairs Department of the Malgobeksky District, took Suleiman out of Pre-Trial Detention Centre No.1 of Nalchik and carried him in the direction of Malgobek, using some counterfeit documents. Next day, his body with four gunshot wounds in the head was found near *the settlement of Aleksandrovsky of the Republic of Kabardino-Balkaria*.

On the grounds of the murder of Suleiman Tsechoyev, a criminal case was initiated. Despite the fact that the investigators ascertained the involvement of the former Assistant Public Prosecutor M.Yevloev in the transportation of Suleiman from the Pre-Trial Detention Centre, the criminal case was repeatedly suspended because of "*an impossibility to establish the persons who committed the crime*".

The European Court came to a conclusion that the evidence produced by the parties is insufficient for ascertaining whether the persons who killed the Applicant's brother were actually public employees, and the authorities failed to carry out an effective investigation into the circumstances under which the brother of the Applicant was killed. ECHR decreed that the Russian authorities had infringed on Article 2 of the European Convention on Protection of Human Rights and Basic Freedoms and awarded **15 000 euros** for the indemnification of a non-material damage inflicted to the Applicant.

Memorial Human Rights Centre believe that in considering the case "The Tsechoyevs versus Russia" the European Court failed to demonstrate its proper attention to the situation as a whole, which fact was expressed in too formalistic an approach to the estimation of the events. For instance, it is difficult to assume that the officers of the Pre-Trial Detention Centre of the city of Nalchik might have handed the person under investigation over to some strangers without checking their documents and clarifying where the person on remand was going, etc. ([www.memo.ru/2011/03/16/1603111.html](http://www.memo.ru/2011/03/16/1603111.html))

### ***Esmukhambetov and others versus Russia (the decision was made on 30 March 2011)***

The applicants are 27 persons who were living or were present in *the village of Kogi in the southeast of the Chechen Republic*, not far from the administrative border with Dagestan, at the moment of the following events.

**On 12 September 1999**, around 17-00, two SU-25 warplanes appeared in the sky over the village, which started a non-selective bombardment, using their guns, and shelling of that village. **Mautali Esmuhambetov** saw his two under-age sons, **Elmurat** and **Eldar**, killed on the spot by a bomb which struck upon his courtyard. His wife, **Borambike**, fatally wounded by a splinter of another bomb, died in his arms.

Soon after the attack from on high, some inhabitants drove away to the neighbouring Dagestan, using agricultural vehicles. On the way, they saw the corpse of **Lida Abdurakhmanova**.

A certain **Mautali Kartakayev** found out the corpse of his mother killed by a splinter of a bomb on that very day, 12 September, after a long search. Totally, the servicemen dumped about 70 bombs onto the village of Kogi, killed five peaceful residents, relatives of the applicants, and destroyed up to 30 private households.

A criminal case on the grounds of the death of five relatives of the applicants and on account of the destruction of the property was initiated only in January 2002. But in September 2005 it was



terminated because of the absence of elements essential for offence in the actions of the servicemen, which were found lawful and aimed at preventing commitment of wide-ranging acts of terrorism.

The European Court established an infringement by the Russian authorities of a right to life; a right to respect for private and family life; a right to respect for property; as well as a right to effective legal protection, secured in Articles 2; 3; 8; and 13 of the European Convention and in Article 1 of Additional Protocol No.1 to the Convention.

The Court decided to pay a total of **1 491 000 euros** to the applicants, as an indemnification for the moral sufferings caused and the material damage sustained, and **9 350 euros** for litigation expenses ([www.memo.ru/2011/03/30/3003112.html](http://www.memo.ru/2011/03/30/3003112.html)).

***Murtazov and others versus Russia (the decision was made on 29 March 2011)***

The applicants in the case are the wife and four children of **Ayub Murtazov**.

**Early in the morning, on 19 November 2002**, about 20 armed Russian servicemen broke into the house of Ayub in *the stanitsa of Naurskaya*. Without introducing themselves, they searched the house and tied up the wife of Ayub, **Kumset**, and his two sons by means of an adhesive tape. After Kumset managed to unbind herself and her sons, the neighbours told her about the detention of Ayub, as well as of the fact that they had seen several armoured troop-carriers on that night. Ayub was detained under similar circumstances in October 2001 after a conflict with the local administration, and a criminal case was initiated against him on the grounds of some forged evidence. He was released under a recognisance not to leave. Nobody has seen Ayub since his abduction in 2002, and the investigation of his disappearance has yielded no results.

The European Court considered that Articles 2; 3; and 5 (a right to freedom and personal inviolability) and Article 13 of the European Convention of Protection of Human Rights (a right to life; prohibition against inhumane and dishonouring treatment; a right to freedom and personal inviolability; and a right to an effective means of legal safeguard) had been violated with respect to the Murtazovs. The European court instance decreed that Russia should pay **40 000 euros** to the wife of the missing person; **4 000 euros** to his four sons and his brother each, as well as **4 000 euros** more for litigation expenses.

***Matayeva and Dadayeva versus Russia (the decision was made on 19 April 2011)***

**In 2000-2003**, a certain **Khamzat Tushayev** who lived in *the village of Duba-Yurt of the Shalinsky District of the Chechen Republic*, took part together with his brother in the second Chechen campaign on the side of an illegal armed group. In summer **2003**, after the federal authorities announced an amnesty to members of an illegal armed groups who were ready to surrender voluntarily, Khamzat handed over his military outfit and weapons to the authorities. He was registered in the Directorate of the Federal Security Service of Russia in the Chechen Republic. His case was considered by the Federal Security Service of Russia, but he was not confined in his going about and managed to move to *Grozny* in 2003.

**In March 2006**, Khamzat was detained by the law enforcement agencies of the Shalinsky District of the Chechen Republic. For some time, he was kept in the Shalinsky District Department of Internal Affairs, because a criminal case had been initiated against him on suspicion of his involvement in the activity of an illegal armed group. Then he was released under a recognisance not to leave.

**In June 2006**, Kh.Tushayev was invited to the Leninsky District Public Prosecution Office of Grozny for providing explanations within the framework of the criminal case initiated against him. **On 8 June**, Khamzat together with his consort arrived at the governmental residential complex of Grozny, in one of the buildings of which the Leninsky Public Prosecution Office was located. Admittance was being effected strictly after the registration of visitors at the check-point. Khamza passed the first check-point, but he never reached the building of the Public Prosecution Office. Kh.Tushayev disappeared without leaving a trace at an enclosed facility protected by power structures.

**On 26 June**, a criminal case was initiated on the grounds of the abduction of Khamzat. Further on, in the process of the investigation, the consort of Kh.Tushayev got to know that some officers of the Federal Security Service of Russia were suspected of the abduction of her husband, however the

criminal case was repeatedly suspended and resumed, and no persons responsible for the abduction and disappearance of Kh.Tushayev have been established and brought to trial so far.

The European Court completely satisfied the claims of the applicants and declared an infringement by Russian authorities of Articles 2; 3; 5; and 13 of the European Convention of Protection of Human Rights and Basic Freedoms.

The Court decreed to disburse a total of **60 000 euros** to applicants, as an indemnification for the moral sufferings caused, as well as compensate **1 215 euros** for litigation expenses ([www.memo.ru/2011/04/19/1904115.html](http://www.memo.ru/2011/04/19/1904115.html)).

***Kerimova and others versus Russia (the decision was made on 3 May 2011)***

The applicants are 19 inhabitants of *the town of Urus-Martan of the Chechen Republic*.

**On 2 October 1999**, some warplanes of Russian federal troops raided *the town of Urus-Martan* where a counterterrorism operation had started the day before. One of bombs struck a block of flats, in which a certain Kerimova lived with her family. As a result, her brother and her husband were killed, and her three under-age children wounded. **On 19 October 1999**, the town suffered an air attack of Russian federal forces again. In consequence of the bombardment, six persons were killed and sixteen wounded, including three applicants in the case. Also, 40 houses were destroyed or damaged, including those of 18 applicants in the given case. **In April 2000**, the Military Procuracy refused to file any criminal charge in connection with the bombardments **on 2 October** and **19 October 1999**, but **in July 2000** an investigation of the case began in the Public Prosecution Office of the Chechen Republic. As a result of the investigation, it was established that the bombardment was carried out by an “unascertained plane” and no guilty persons were found. The criminal case was suspended and resumed several times, and no final decision has been ever taken on the case.

The European Court established an infringement by the Russian authorities of Article 2 of the European Convention in connection with the death of the applicants’ relatives and the absence of some relevant and effective investigation, as well as a violation of Article 8 of the Convention and Article 1 of Protocol No.1 to the Convention in the context of the destruction of the houses of the applicants.

ECHR awarded a total of **245 250 euros** to the applicants as an indemnification of the material damage and **770 000 euros** for the moral damage.

***Khamzayev and others versus Russia (the decision was made on 3 May 2011)***

The applicants are three inhabitants of *the town of Urus-Martan of the Chechen Republic*.

The circumstances of the case are connected with the litigation of “**Kerimova and others versus Russia**”, the decision on which was taken on the same day. The applicants are victims of the bombardment of the town, carried out by Russian Air Forces **on 19 October 2010**. After lodging a complaint, the first applicant died.

The European Court decreed that Articles 2 and 8 of the European Convention and Article 1 to of Protocol No.1 to the Convention were infringed on and awarded a total of **14 000 euros** to the applicants as an indemnification for the material damage and **32 000 euros** for the non-material damage.

***Shokkarov and others versus Russia (the decision is taken out on May, 3rd, 2011)***

The applicants are four inhabitants of *the city of Grozny of the Chechen Republic*.

**Early in the morning, on 6 January 2003**, a group of policemen detained a certain **Visadi Shokkarov** in the refugee camp “Satsita” located in *the Sunzhensky District of Ingushetia* on suspicion of a murder of two employees of the local administration. Later on, on the same day, members of his family applied to the District Department of Internal Affairs in order to learn about his fate. Some persons dressed in civilian clothes asked V.Shokkarov’s brother, **Visita**, who was near the police station together with members of his family and neighbours, to which V.Shokkarov was delivered on the day of the arrest, to go into the building. Since then, nobody has seen him. Visadi died on **2 February 2003** in a traffic accident with which a car that was transporting him met. It was going to the place of the murder for Visadi to take part in the reconstruction of the crime. His body got

burnt down and charred. His family was informed about his death after nine days. They came to a mortuary where a corpse was exhibited to them, and the relatives did not confirm that it was the body of Visadi. An investigation into the facts of the disappearance of Visita Shokkarov and the death of Visadi Shokkarov has not yielded any significant results.

The European Court decided that the Russian authorities had violated Articles 2; 3; and 5 of the European Convention and awarded a total of **30 000 euros** to the applicants as an indemnification for the material damage and **104 000 euros** for the non-material grievance.

***The Maayevs versus Russia (the decision was made on 24 May 2011)***

The applicants are the parents of Isa Maayev who disappeared without leaving a trace **on 10 March 2003** in the town of *Urus-Martan of the Chechen Republic*.

**In the night-time, from 9 to 10 March**, some unascertained armed people dressed in camouflage uniforms and wearing masks drove up in their UAZ cars to the house of the Maayevs and carried out an unlawful search. After that, they detained Isa and took him away with them before the very eyes of some police officers who were patrolling the district. Since then, the parents of Isa have known nothing about his fate.

Despite the fact that a criminal case was initiated and the parents of Isa were found to be victims, the investigation which was suspended and resumed more than six times in the course of many years failed to establish who was conducting the search in the house of the Maayevs and officers of which power structure those people were, etc.

The European Court, basing on the fact that the abductors of Isa Maayev acted openly; that the police officers patrolling the district did not interfere with the occurrence; and that the abductors and their escort were freely passing through the check-points supervised by agents of national security, drew a conclusion that the abductors belonged to some law enforcement agencies of the Russian Federation. Because of the fact that Isa Maayev disappeared without leaving a trace after the abduction committed by representatives of the state, the Court fixed the responsibility for the unlawful deprivation of the life of the applicants' son on upon Russia.

The European Court established an infringement by the Russian authorities of Articles 2; 5; and 13 of the European Convention of Protection of Human Rights and Basic Freedoms with respect to the missing relatives of the applicants, as well as of Article 3 with respect to the applicants themselves.

The Court obliged the authorities of the Russian Federation to pay **60 000 euros** to the applicants as an indemnification for the moral damage, and **2 724 euros** for litigation expenditures.

***Malika Alikhadzhiyeva versus Russia (the decision was made on 24 May 2011)***

The case concerns the arrest and the disappearance without leaving a trace of Malika's husband, **Ruslanbek Alikhadzhiyev**, during his passage through a block post on the federal route "Caucasus" near the settlement of *Mesker-Yurt of the Chechen Republic* **on 20 April 2005**. Despite the fact that the authorities did not admit any involvement of power structures in this abduction, many people who were passing the post at that moment saw R.Alikhadzhiyev detained by the servicemen supervising the post.

A criminal case initiated on the grounds of the abduction of R.Alikhadzhiyev yielded no substantial results. The investigation did not establish the appurtance of the abductors to a specific power structure either. However, according to the European Court, it is not a sufficient basis to relieve the state of its responsibility for the abduction, considering the set of facts of evidence confirming the claims of the applicants as well. Thus, the Court established that the authorities of the Russian Federation are responsible for the lawless deprivation of the life of the Declarant's husband.

The European Court declared an infringement by Russian authorities of Articles 2; 5; and 13 (a right to an effective means of legal safeguard) of the European Convention of Protection of Human Rights and Basic Freedoms with respect to the missing relatives of the applicants, as well as of Article 3 with respect to the Declarant.

The Court obliged the authorities of Russia to pay **60 000 euros** to the Declarant as an indemnification for the moral damage, as well as **2 724 euros** for litigation expenses.

([www.memo.ru/2011/05/26/2605112.html](http://www.memo.ru/2011/05/26/2605112.html)).