

**ПРАВООЗАЩИТНЫЙ ЦЕНТР "МЕМОРИАЛ"**

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**Memorial Human Rights Centre Bulletin**

**Human rights activists' appraisal of the situation in the North Caucasus conflict zone  
Winter 2012 – 2013**

*Memorial Human Rights Centre continues its work in the North Caucasus. This quarterly bulletin provides a description of the main events occurring in the three winter months of 2012-2013, trends and general developments in the situation. This bulletin was prepared using materials collected by Memorial staff in the North Caucasus and which are published on Memorial's website and in the media.*

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**State programme for the "Development of the North Caucasian Federal District through to 2025".**

On 13 December 2012 the Russian government approved the draft of the state programme for the "Development of the North Caucasian Federal District through to 2025" (full text available in Russian on the site of the Ministry of Regional Development: <http://www.minregion.ru/upload/documents/2013/01/150113-progr.pdf>). The project has been under development over the last few years following the adoption of North Caucasus Development Strategy by the government of the Russian Federation in September 2010 (*Izvestiya*, 24/1/2011). The programme is intended as a means for the implementation of this strategy and will rely on large investment projects. The programme document was conceived as strategically important, the first since the fall of the Soviet Union that defines the paths to development of the entire North Caucasus region for many years ahead. The authorities are counting heavily on the beneficial effect it will have on the social-economic situation in the region. According to officials, the sustainable

development of the region, including the reduction of political and criminal tensions, depends on its successful implementation (*Rossiskaya Gazeta*, 5/5/2011; *Website of the Russian Government*, 19/6/2012).

In April 2011, the draft programme was sent for approval to all ministries and regions of the North Caucasian Federal District (NCFD) (22 subjects) (*Website of the Russian government*, 19/6/2012). In early May 2011, the Russian government confirmed its intention to implement the programme and issued a decree that allows for the granting of state guarantees on loans to legal entities which are registered and carrying out their activities in the North Caucasian Federal District for the implementation of investment projects in the district. The state allocated 50 billion roubles to cover investors' risk (*website: Russian government*, 4/5/2011). The state guarantee programme was launched in 2012. In 2013, state guarantees to the sum of 1 billion dollars are foreseen (*Programme document*, page 431).

The discussion and adoption of the programme document was accompanied by a number of scandals, criticism from various agencies, primarily the Ministry of Finance, as well as the public. To be sure, it was not the clear need for social-economic development in the North Caucasus that was questioned, but the scale of the planned state cash injections and their efficiency. There is significant discord in the documents in the public domain about which options were initially included in the state programme. In May 2011, at a special government meeting, the head of the Ministry for Economic Development V. Basargin stated a concrete figure for expenditures from the state budget on the implementation of the programme through to 2025 – 336 billion roubles (*RIA Novosti*, 4/5/2011). However, soon after completely different figures were doing the rounds in the press. Reputable Russian publications quoted their sources as indicating that in August 2011 the Regional Ministry proposed to spend 3.9 trillion roubles on the development of the district, of which 2.6 trillion roubles would be from the federal coffers. The figure 5.5 trillion roubles was even cited, although this increase included the inflow from investors (*Izvestiya*, 3/8/2011; *Kommersant*, 20/9/2011; *Vedomosti*, 14.12.2012).

Such astronomical amounts (for comparison, the volume of income of the federal budget for the entire Russian Federation in 2012 was 9.5 trillion roubles) raised indignation not only within the Ministry of Finance but also provided additional arguments to those who use the notorious slogan “enough of feeding the Caucasus!”

As a direct result of the hard-line position of the Ministry of Finance the budget of the programme was consequently reduced from 2.6 trillion roubles to 600 billion roubles, and subsequently to 400 billion (*Izvestiya*, 29/11/2012). Finally, the government confirmed the amount of budget payments to be 234.9 billion roubles through to 2020. The overall cost of the implementation of the programme is 2.55 trillion roubles. The remaining expenses to be covered by the treasury will be defined only after 2016 when the first results of the initial investments will be evaluated (*Website of the Russian government*, 13/12/2012; *Vedomosti*, 14/12/2012; *Izvestiya*, 25/1/2013). This means that for each rouble of the final version of the budget, nine roubles are intended to be covered by investors.

The state programme for the “Development of the North Caucasian Federal District through to 2025” will incorporate the existing federal programmes “South Russia” (which comes to an end in 2013) and “Socio-economic development of the Republic of Ingushetia 2010-2016”. Until 2012 the programme entitled “Socio-economic development of the Chechen Republic 2008-2012” was also running. From 2008 to 2011, within the framework of these three programmes more than 130 billion roubles was spent. It should be noted that the lion's share of these means – between 110 and 120 billion roubles – came from the federal budget (*Programme document*, page 31-32; *Website of the Russian government*, 19/6/2012). The bulk of these funds were spent on the development of social infrastructure in the region, whose state lags significantly behind all other federal districts of the country. In particular, in recent years in the North Caucasian Federal District communal infrastructure was improved with the construction of 120 schools, more than 100 hospitals and

medical centres, and 50 sport and culture facilities, 270 kilometres of road laid, and 800 thousand square metres of housing built (*Website of the Russian government, 19/6/2012*).

The programme is split into three stages of implementation. The main result of the first stage (2013-2015) is intended to be an increase in the district's investment attractiveness, the adoption of territorial development programmes of district's entities and the adoption of corresponding legal acts. This stage will also see the end of the "South Russia" programme and the conclusion of most of the undertakings that are part of the programme for the socio-economic development of Ingushetia through to 2016. In the second, main stage (2016-2020) a large volume of investment is intended to be attracted to modernise the existing industries and create new industries, and complex tourism and agricultural projects will start to be actively implemented. The final stage of the programme's implementation, 2021 – 2025, will see the final undertakings in the creation of tourist clusters and the realisation of priority projects identified in the district's development strategy. Furthermore, the content of the undertakings at this stage will be defined depending on the results achieved in the first stages. Budget funds for these years are almost entirely unforeseen (*Website of Russian government, 19/6/2013*).

The implementation of the programme is intended to allow for the significant improvement of the socio-economic characteristics of the district. Towards 2025, more than 400,000 new jobs should be created and the unemployment rate should be reduced to 10.7%. The gross regional product of the North Caucasian Federal District should increase to almost 6.2 trillion roubles (in 2010 it was 887.6 billion roubles), and the volume of international investment should increase to 1,451 billion dollars (in 2011 it was 647.8 million dollars). The construction of 338 educational establishments is planned, along with 168 health care facilities, 91 cultural facilities, 385 sports facilities and 43 facilities for social protection (*Gazeta.ru, 13/12/2012; Respublika Ingushetia, 14.1.2012*).

Despite the significant budget cuts to the programme, the government is firmly supporting the preservation of its social components. According to the presidential envoy of the NCFD, A. Khloponin, it is necessary to overcome the "worsening underdevelopment" of the regions of the North Caucasus in the fields of healthcare, school and pre-school education, and road infrastructure. The number of planned works in the field of healthcare, education, culture and sports in the definitive version of the programme was even successfully increased to 1026, whilst in the initial version, according to information in the press in 2011, 790 projects had been planned (*Gazeta.ru, 13/12/2012*).

The programme includes 11 sub-programmes<sup>1</sup>, with one of the key sub-programmes being the development of a tourist cluster, made up of two types of resorts – mountain and coastal (on the Caspian sea<sup>2</sup>), which together should be able to receive 4 million visitors a year. The ski resorts that are being created should compete with the leading world ski resorts in their technical characteristics (altitude, length of pistes, number of lifts), whilst they will be similar in price to the cheaper ski resorts in Poland and Bulgaria. Both the mountain and coastal resorts are planned to be open all year round thanks to additional services also on offer (mineral water spas, health and beauty

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1 "Development of the North Caucasus Federal District's investment appeal," "Development of the specially-protected eco-resort region of the Russian Federation - the Caucasian *Mineralnye Vody*," "Development of tourist regions in the North Caucasus Federal District, Krasnodar Region and the Republic of Adygea," "Provision of sustainable development of the Republic of Dagestan," "Provision of sustainable development of the Chechen Republic," "Provision of sustainable development of the Republic of North Ossetia-Alania," "Provision of sustainable development of the Republic of Ingushetia," "Provision of sustainable development of the Karachayev-Cherkesskaya Republic," "Provision of sustainable development of the Kabardino-Balkarskaya Republic," "Provision of sustainable development of the Stavropol' Krai," "Ensuring the implementation of the state program of the Russian Federation "Development of the North Caucasus Federal District" through to 2025 and other events of balanced territorial development."

2 The Black Sea coastal resort area was not included in the tourism cluster, because of the belief that it is developing quite rapidly of its own accord.

services). The tourist cluster will create 187,600 jobs, of which 76,000 will be directly linked to the tourist sectors (*Programme document, page 410-428*). The total price of the tourist cluster project will be around 1 trillion roubles, of which around 70-80% will come from investors.

How real is this grandiose programme? First of all its success depends on whether the region will manage to attract investors. The various state companies and natural monopolies that have already declared their support for one or another project (Gazprom, Rosneft, North Caucasus Resorts, The Russian Railway Company, FSK, EEC etc.) will give a defined guarantee. Of course, their participation in the implementation of the Programme somewhat masks the direct expenses of the state. However, the state will not formally participate in the implementation of the business projects in the territory of the NCFD. The state programme is perhaps not so interesting for “external” investors, however unheard-of economic privileges promised by the Russian government and direct state guarantees against possible losses will very likely outweigh potential risks.

In the meantime, as it turned out after the unexpected firing of Akhmed Bilalov, the head of the Northern Caucasus Resorts company (KSK) (which was not directly linked to the implementation of the tourist cluster project), the situation is more than a failure. Bilalov was fired from all his posts after a public slating set up by Vladimir Putin on 6 February 2013 during an inspection of the Olympic construction site, which was also supervised by Bilalov. Immediately after this the treasury verified the financial activity of KSK, the results of which were published in the media (*Gazeta.ru, 18/3/2013; IA Interfaks, 18/3/2013*). It had turned out that in fact public corporation KSK failed to attract even one real investor and did not conclude even one contract; everything was limited to numerous protocols of intentions. As a reminder, the state was not intending to invest even one kopek in the development of the tourist cluster. Furthermore, in two years KSK had already managed to spend 3 billion roubles in the conception of the tourist cluster, design work and investment plans (the conception alone amounted to 277 million roubles!). However, not one of the proposed projects has yet been approved by the Ministry for Economic Development. The latest version of the programme has been pending approval by the ministry since the end of last year. Meanwhile, a logical question arises – if the tourist cluster project, as it turns out to be, remains unapproved to this day, what precisely was approved as part of the 3<sup>rd</sup> sub-programme in the state programme “Development of the Northern Caucasian Federal District through to 2025”?! The affair is even worse if you take into account that to this day construction works have still not commenced and the land has not been handed over to the local Ministry for Economic Development by the regions and municipalities, which means that it is impossible to start any kind of work. Furthermore, large sums have already been spent on the design phase. It is also necessary to note “petty mischief” in the form of luxurious business trips, the deposit of campaign funds onto accounts of an affiliated bank, inefficient expenses etc.

It goes without saying that if something major does not change, the development of the tourist cluster, as other big state projects in recent years, awaits a miserable fate.

The Chechen Republic has a particular position in the upcoming events. What’s more, it is not so much of a privileged position, as we have been accustomed to in recent years, but on the contrary, Chechnya has been allocated the smallest amount of financing of all. In 2013, according to the state programme, Stavropol Krai should receive 66.1 billion roubles, Dagestan 23.9 billion, North Ossetia – 12.2 billion, Kabardino-Balkaria – 9.1 billion, Ingushetia – 6.9 billion, Karachay-Cherkessia – 5.7 billion, and Chechnya – only 5.2 billion (*Programme document, pages 122-129*). In coming years the distribution of funds will be more or less along the same lines. It is true that the bulk of investments come from extra-budgetary sources that still need to be attracted, as opposed to transfers from the federal budget, which are guaranteed. For example, in the case of Stavropol Krai in 2013 65 billion roubles are expected from private investors, whilst only 1.25 billion roubles will come from the various state budgets. In this sense, Ingushetia finds itself in a much more profitable situation, which at least in the first three years (whilst the federal programme for the development of the republic is still in force) should receive the bulk of planned investments from the federal and

local budgets. In Chechnya, on the other hand, in the first year investment from the federal budget is minimal (174 million roubles) and for 2014-2015 no budget support is foreseen (*Programme document, page 125*). Chechnya much attract all its investment from private sources.

As mentioned earlier, in 2012 the validity period of the programme for the development of the republic ran out. Not counting 2012, in the four years of implementation of the general programmes from 2008 to 2011, Chechnya received 86.1 billion roubles from the federal budget whereas the rest of the regions of the NCFD received a combined 24.4 billion (*Programme document, pages 31-32*). Nevertheless, the government of Chechnya requested the Russian government to prolong the programme until 2017 with a total budget of 95 billion roubles, the bulk of which (87.4 billion roubles) was again to be shouldered by the federal budget (when it finished up in 2012 the programme cost the budget 106 billion roubles); however, both the Ministry for the Regions and Ministry of Finance brought a negative conclusion to this suggestion, pointing out that the measures to support the economic and social sphere of Chechnya might be worked out during the preparation of the state programme for NCFD until 2025. Given that the total budget for this entire state programme is 235 billion roubles, the requests from Chechnya seem to be extremely high.

During the development of the overall programme for the North Caucasus, it was considered fundamental to align the levels of socio-economic development of all the regions, as well as to “form and adopt governing mechanisms that will ensure coordination and increase the effective use of resources of the territories of the corresponding regions and entering via various channels”. In other words, bringing an end to the uncontrolled spending of funds made available to the regional budgets (*Izvestiya 15/10/2012*). Moreover, certain officials at the federal level directly pointed to the state of affairs, which is probably evident to everyone who has recently visited Chechnya – the republic is almost fully restored.

It is not surprising that the budget for Chechnya after the end of the federal programme markedly dipped. If in 2012 it stood at 74.3 billion roubles, taking into account transfers from the federal budget, then in 2013 the income of Chechnya’s budget will reach only 57.2 billion roubles (*Website of the Ministry of Finances of the Chechen Republic, “budget” section; IA Chechen-Info, 19/10/2012; IA Yuga.ru, 15/12/2012*).

Moreover, Chechnya, with its projects for the “Veduchi” ski resort in Itum-Kalinski district, failed to fall within the key sub-programme in terms of funding – sub-programme 3 of the new state programme for the development of the North Caucasus entitled “Development of the tourist sector in NCFD, Krasnodar Krai and the Republic of Adygeia” with proposed investments that capture the imagination (995 billion roubles). The question of “Veduchi” was only raised on the 19 June 2012 on the initiative of R. Kadyrov and put to the government commission for consideration of its feasibility (*Programme document, page 405*). For comparison, most republics of the NCFD will implement their segments of the tourist cluster simultaneously in two or three areas, in Kabardino-Balkaria – four regions, and in Dagestan – even five. And to develop the Caucasus Mineral Water resort in Stavropol Krai there is a separate sub-programme with proposed investments of over 400 billion roubles.

## **The fight against the terrorist underground. Results of 2012.**

In late 2011 and early 2012 new hints appeared in the rhetoric of the Russian power structures leaders: in place of routine reports on the continuing fight against the extremist underground in the North Caucasus, a new offensive tactic was declared, aimed at its total and definitive rout. The reason for the rush was not officially declared, but is obvious – very soon, in Sochi, a mere few hundred kilometres from the heart of the tensions, an important global sporting event will begin – the Olympics.

What have been the results of the new tactics? In 2012, in the North Caucasus 352 acts of a terrorist nature were recorded (in 2011 – 406). A total of 2,522 special operations were carried out,

105 illegal armed formations' (IAF) bases were destroyed, along with 386 weapons, ammunition and food caches. According to official statistics, in the course of special operations across NCFD 391 militants were killed, including 50 leaders. A total of 461 people were detained and 44 people gave in. Thus, the total losses sustained by the IAF amounted to 945 people (*website: MIA of the NCFD, 25/1/2013*).

In comparison, in 2011, according to official data, 345 militants were killed, including 48 leaders; 660 fighters and their accomplices were detained. Thus, the total losses sustained by to the IAF amounted to 1,005 members (Itar-Tass, 15.2.2012).

In early 2013, law enforcement authorities (in particular, Chief Board of the MIA in NCFD) estimated the strength of the enemy to be 600 fighters, united in around 40 groups, of which: in Chechnya around 10 groups, in Dagestan – up to 16, in Ingushetia – up to 3, in Kabardino-Balkaria – up to 5 and in Karachay-Cherkessia – 1 (*Vzglyad, 25/1/2013*). The reliability of these figures remains in doubt.

Losses suffered by the law enforcement agencies in 2012 were also high: 211 members of law enforcement agencies were killed, 405 were injured. Thus, losses by the security services at the hands of militants totalled 616 people. Including civilians (who sometimes are targets of terrorist attacks) – 873 people, which is comparable with the scale of losses sustained by the militants. Unfortunately, it was not possible to find the official overall statistics of losses of law enforcement agents in 2011.

In 2012, numerous high-profile “amirs” of the underground were killed, including the head of the fighters in Dagestan I. Daudov (Salikh), the “leader of the united vilayat of Kabarda, Balkaria, and Karachai (KBK) - the Caucasus Emirate”, A Zankishiev (Ubaida), the “qadi” of Ingushetia I. Ozdoev (Abu-Dudzhan), the “amirs” T. Khaiauri (Al-Bara), Z. Boziev (Adam) and many more.

The most significant success of recent times (although it falls outside of the 2012 calendar year) was the liquidation of a large group of militants in Vedenski district of Chechnya, which was announced on 24 January 2013. The detachment was for many years headed by the leaders of the Chechen militancy - brothers Husein and Muslim Gakaev – the last of the six Gakaev brothers alive, the others having been killed at different points in time in confrontations with the federal forces. The Gakaevs became widely famous after their conflict with the leader of the “Caucasus Emirate” Doku Umarov, when in September 2013 they emerged from under his leadership and decided to separately continue their own Chechen “jihad”. However in 2011, the divisions (“fitna”) were overcome and they once again joined with Umarov.

According to the leader of Chechnya, the Gakaevs are guilty of the murders of scores of people, and “Muslim Gakaev personally prepared 27 suicide bombers who blew themselves up in Grozny and other populated places two to three years ago” (*Vesti, 24/1/2013*). The Gakaevs were personal enemies of R. Kadyrov, since it was they who, on 29 August 2010, organized an attack on the home village of the Kadyrov family – Tsentoroi. In recent times, the Gakaevs acted generally in Vedenski district, although they also made incursions further off, including in Grozny (*Kavkazskii uzel, 24/1/2013; 25/1/2013*).

Kadyrov was so inspired by the recent success that he declared several times that the killing of the Gakaevs stood in importance next to the killing of Basaev, and that the brothers were more influential than D. Umarov himself.

Along with the Gakaevs, between 20 and 29 January 2013 another 10 militants were killed, many of whom had been on federal search lists for a long time. One interesting detail of the operation is worth mentioning – that the pursuits of the Gakaev’s group started in Shatoiski district, where the militants were discovered in a deep and difficult-to-access ravine. In Vedenski district they actively exchanged fire and injured several police officers. They successfully managed to hide, however their hideout was discovered after a militant that had been captured indicated possible routes that the group had taken. Ambushes and barriers were set up in the areas of the Gakaev

brother's activities. In the words of Kadyrov, "a continuous rational dialogue was held with the fighters. They were given the chance to lay down their arms. When it became obvious that the Gakaevs would not do so, they were offered to let the younger militants free, those who had not yet managed to carry out serious crimes. However the militants started to fire on the officers of power structures. Therefore the decision was taken to liquidate the bandit group" (*MIA of the Chechen Republic, 24/1/2013*).

It is interesting to point out that almost exactly a year ago, in February 2012, the Chechen power structures, in the course of a similar pursuit over the course of several days, had to battle with several large groups of militants, a situation which ended tragically – 17 staff members of the Ministry of Internal Affairs were killed and another 24 were injured, whilst the fighters lost only 7 members (*Website of the MIA, 20/2/2012; Chernovik, 24/2/2012*).

Returning to the situation in the conflict zone in the North Caucasus as a whole, it should be noted that the normal dip in activity during the winter months has not been observed this year. According to data from the National Anti-Terrorist Committee (NAK), in January and February 2013 already more than 50 militants were liquidated, including 14 commanders; 66 militants and their accomplices were detained; over 60 militants voluntarily gave themselves in (*Website of NAK, 26/2/2013*).

Each of the republics of the North Caucasus that currently have problems with religious extremism and terrorism also presented yearly reports of their losses and attacks carried out by fighters.

For convenience, this information is summarised in the table (source: *Website of Ramzan Ahmatovich Kadyrov, 22/01/2013; Website of Interior Ministry of the Chechen Republic, 23/1/2013, 1/2/2013; Website of the Interior Ministry of the Russian Federation, 23/1/2013; The Republican News Agency of Dagestan (RIA Dagestan), 8/11/2012, 30/12/2012; Website of the Prosecutor General, 15/2/2013; ING-Info, 18/11/2012; Website of the Prosecutor of the Republic of Ingushetia, 28/2/2013; Website of the Prosecutor of the Kabardino-Balkarian Republic, 8/2/2013; Newspaper of the South (Gazeta Yuga), 7/2/2013; Website of the Prosecutor of the Republic of Dagestan, 15/2/2013; Republic of Ingushetia, the 'Documents' section*).

**Table 1. Losses of militants, police and civilians according to official data**

	Militants killed	Militants arrested	Militants surrendered	Security forces killed	Security forces injured	Civilians killed	Civilians injured
Chechnya	42	101	6	35	No data	No data	No data
Ingushetia	36	26	47	29	53	2	17
Dagestan	230	205	21 <sup>3</sup>	115	228	198	
Kabardino-Balkaria <sup>4</sup>	79	56	No data	19	26	8	19
TOTAL	387	388		198			

Overall, summarised data from the local law enforcement authorities of their own losses and defeats caused by the militants are close to the overall figures provided by the federal authorities. It is important to mention that for the first time in recent years there has been constant monitoring of the internet sites of the federal and republic law enforcement authorities (NAK, MIA, prosecutor's

3 Data on the surrendered militants - for 11 months of 2012.

4 The data released on the official website of the Prosecutor's Office of the Kabardino-Balkarian Republic on 8 February, 2013. A few days earlier the Investigative Directorate of the Investigative Committee of the Kabardino-Balkarian Republic, V. Ustov revealed statistics that differ considerably from ones presented (see *Gazeta Yuga, 7/2/2013*). They were not published officially.

office, investigative committee) and on the whole this does not induce cognitive dissonance in the researcher, caused by obvious incongruities in the statistical data of different, and often even the same agency. This demonstrates that finally (after 20 years of military operations) there is coordination between the different security agencies. While preparing this bulletin, only one serious incoherency in the statistical data was found. According to the data on the site of the Ministry of Internal Affairs of the Russian Federation in the whole of 2012 in the country as a whole 637 crimes of a terrorist character were registered (which is higher than last year's indicator by 2.4%) (*Website of the MIA, 19/2/2013*). It is clear that the bulk of these crimes are in the North Caucasus. However, the statistics of the main directorate of the MIA for the NCFD are entirely the opposite: "On the whole, 352 crimes of a terrorist character were registered in the NCFD, which is over 13% lower than last year's indicator" (*Website of the main directorate of the MIA for the NCFD, 25/1/2013*). For comparison, one should note that in 2011, according to the data of the MIA, 622 crimes of a terrorist nature were registered in the North Caucasus (*Website of the MIA, 10/2/2012*). Moreover, the local prosecutor and MIA presented a large spread in the statistics on their own losses and militant losses in Ingushetia (*Website of the Prosecutor of Ingushetia, 28/1/2013, Website of the National Assembly of Ingushetia, 19/3/2013*).

It goes without saying that Dagestan leads in the number of activities of militants in the region, as it has in recent years. The republic ranks first in Russia for the number of crimes committed with a firearm (607 incidences in 2012 out of 7,500 in the whole country) (*Website of MIA, 19/2/2013, RIA Novosti, 15/2/2013*). Over the last year, according to the information of the MIA and the Prosecutor General's office, 295 crimes of a terrorist nature were registered. This is higher than the figures for 2011. According to the data of the Prosecutor General, the number of crimes of an extremist nature rose almost threefold in the last year in Dagestan (*Website of the General Prosecutor's office, 15/2/2013*). The number of losses sustained by both the security services and militants also increased. If in 2011, according to official data, 91 members of the security services were killed by terrorists in Dagestan, and 231 were injured, and 122 civilians were killed or injured, then in 2012 115 officers of power structures were killed, 228 injured, and 198 civilians bore losses (*Kavkazski uzel, 3/2/2012; Site of the Public Prosecutor's office of Dagestan, 15/2/2013*).

It is also important to note that the official data on losses correlates with data obtained from alternative sources.

According to the calculations of the Memorial Human Rights Centre made on the basis of available data published by Russian information agencies, the picture of losses sustained by the security services<sup>5</sup> in the North Caucasus, including in Dagestan in the 2012 calendar year, is as follows:

**Table 2. Losses sustained by law enforcement authorities and the army on the basis of information of Russian information agencies**

	Killed	Injured
Chechnya	43	81
Ingushetia	35	45
Dagestan	125	168
Kabardino-Balkaria	20	30
Karachay-Cherkessia	1	2
TOTAL	224	326

5 The Human Rights Centre "Memorial" is fundamentally opposed to accounting for losses of militant fighters, because official statistics refer to the militants, and as a rule, all people killed during special operations, including those whose involvement in terrorist and extremist crimes has not been proven.



Judging by the scale of the losses, the tensions in the fight against extremist militants in Dagestan have undoubtedly risen in comparison with 2011. Furthermore, if the force component of the struggle is constantly growing, the preventative and propaganda of the Dagestan authorities is falling year on year behind their opponents. There has been no turning point either in the organisation of mass media and preventative work, or in the mindset of the population. As the complex verification conducted by the republic's prosecutor general at the end of 2012 showed, there is scarcely any prophylactic work being carried out against extremism in the regions of the republic. This is true even in the regions with the tensest criminal situations (Untsukul'sk, Karabudakhkent, Kizliar, Khasaviurt, Sergokala, Tsuntinskiy, and Tsumadinskiy districts, the towns of Khasaviurt and Kizliar). Work in this area is only on paper. Cooperation with the communities is difficult; there is no system to follow up on whether decisions have been implemented. It was established that, in violation of the requirements of the law, holistic programmes to combat extremism and terrorism had not been adopted in 40 of the 51 municipalities of the republic (*RIA Dagestan*, 30/12/2012). Consequently, a situation has been created which has been characterised as follows by the secretary of the Security Council of Dagestan, M. Baachilov: despite fairly effective and intensive work by the Dagestan security services *"there is insufficient support from the population... It is impossible that people living in the same village do not know that their fellow villagers are aiding the militants. But they simply do not inform us about this... Even though just a little bit of participation from their side in the battle against terrorism would bring about noticeable results"* (*PublicPost*, 20/12/2012).

### **Characteristics of the criminal situation in Kabardino-Balkaria**

The Kabardino-Balkaria republic (KBR) is living through its second year of violent clashes between the authorities and militants. The Minister for Internal Affairs for KBR S. Vasilev calls his agency a "fighting ministry". Vasilev characterizes the situation in KBR as "extremely serious": *"bandits, terrorists have by no means been defeated, nor have the causes that allow the reproduction of a criminal environment in Kabardino-Balkaria"*. The local insurgency is fully autonomous, the main part of their financial means are obtained through extortion of small and medium businesses (*Website of the MIA of KBR*, 23/1/2013).

At this time a turning point in the confrontation has perhaps been reached. This is indicated by the fact that the number of victims amongst the law enforcement authorities and civilians is steadily decreasing, whilst the scale of militant losses is rising. Thus, according to official information in 2010, 42 members of the law enforcement authorities fell victim to the fighters in KBR and 55 were injured; in 2011 31 were killed and 33 injured; and in 2012 19 were killed and 37 injured. The losses sustained on the civilian side at the hands of the fighters also significantly decreased – from 31 killed and 53 injured in 2010, to 9 killed and 18 injured. Furthermore, in 2011 and 2012, the losses suffered by criminals increased significantly. In 2011 78 militants were killed and 123 injured, in 2012 78 militants were also killed and 56 detained. For comparison, in 2010 militants sustained only 16 losses (*Region 07*, 28/1/2011; *Website of the MIA of KBR*, 25/1/2011; *RIA Novosti*, 13/1/2012; *Website of the Public Prosecutor's Office of KBR*, 9/2/2013; *Website of the MIA of KBR*, 18/3/2013). It is curious that on exactly the same days the Investigative Committee for Kabardino-Balkaria produced figures that were significantly different from the data provided by the public prosecutor of the republic. According to the data of the investigative body, in 2012 97 fighters were killed, whilst in 2011 – 122. The figures for the losses sustained by the security forces also differ in 2012 – 37 injured according to the data of the prosecutor's office and 26 according to the Investigative Committee (*Gazeta Yuga*, 7/2/2013).

Special operations and armed confrontations occur in Kabardino-Balkaria relentlessly. On 11 December in the town of Tyrnyauz a militant was killed. A police officer was injured. On 13 December 2012 again in Tyrnyauz three militants were killed. In the course of an offensive, a police

major was killed and another two police agents were injured. On 14 December in Bylym village in Elbrus district one militant was killed. On 26 December three militants who had been travelling in a car were killed in Baksan district. On 6 January on the outskirts of Baksan during an attempted arrest a passenger vehicle “Gazel” was destroyed, killing three militants. On 16 January in Nalchik 4 militants were killed, including one woman who turned out to be the wife of one of the militants; three more people were arrested. On 22 January around the area of Zaiukovo village in Baksansk district a large hiding place with arms and ammunition was discovered. On 25 January in the town of Chegem three members of the armed underground group were killed, on 29 January in Nalchik – one more was killed. On 28 January in Nalchik a lieutenant colonel of the police force was killed. On 6 February in Nalchik an employee of the traffic police was killed and his colleague injured.

It is worth pointing out that the “fighting ministry” of Kabardino-Balkaria rarely spares the lives of those who have barricaded themselves into a house and been declared militants. It is also characteristic that only one militant has voluntarily given himself up to the police in the last year, whilst at the same time in other regions there are dozens of such cases. “They don’t appear and don’t give themselves up,” wonders the head of the investigative department V. Ustov (*Gazeta Yuga*, 7.2.2013). It is clear that the authorities of Kabardino-Balkaria have not yet felt the same level of tension and division in society that is already being felt in neighbouring Dagestan and Ingushetia (and earlier – in Chechnya) to push them to search for a compromise solution to the problems. Perhaps the relative proximity of the republic to the Olympic infrastructure is “spurring on” the security services of Kabardino-Balkaria. Tyrnyauz, one of the towns with the most tensions, is only 215 kilometres as the crow flies (that is, across the mountains and forests, the native terrain of the militants) from the Olympic ski resort Krasnaya Polyana. Of course, one should hardly expect a desperate forced march by militants across the forested mountain terrain, however the source of tension in the underbelly of where the Olympics will start in less than a year is not only a direct threat to international competitors, but also would do the image of the country irreparable damage. In fact, the Sochi Olympics will be the first in history where on the slopes of one side of the mountain range there will be sporting contents (a symbol of peace!), whilst on the other – fighting.

Either way, it is obvious that the accent in the republic is on a forceful solution to the problem, consisting in the systematic physical extermination of the militants and their sympathisers. It is symptomatic that the Commission on Adaptation that was formed (or rather - announced) back in 2011 is entirely silent. Negotiations with holed-up militants are held, but end in the same way as always. It is well known, for example, that last winter negotiations were held at least twice before the assault was launched, and in the course of these children were let out of the blockaded houses (16 January 2013 in Tyrnyauz and 25 January 2013 in Chegem) (*07KBR*, 16/1/2013; *Website of the MIA of KBR*, 25/1/2013). It is true that in the first case, the mother declined to leave the house and was killed along with her husband. In another case, which became widely known in Kabardino-Balkaria, a pregnant woman was killed during the assault. On 13 December 2012 during a special operation in Tyrnyauz, 24-year-old Indira Dzhappueva turned out to be in the blockaded house and was killed in the course of the subsequent assault. According to the NAK, prior to this, on 11 December 2012, Dzhappueva’s husband, Marat Tebuev, was killed during a document check. Tebuev injured a police officer in the head (*Website of the MIA for KBR*, 11/12/2012). On 13 December, during the course of an investigation into Tebuev’s ties, members of the law enforcement agencies blockaded the household where he lived. Three people were in the house and were reportedly given the chance to surrender. It is also reported that the relatives of those blockaded inside were brought to participate in the negotiations. Those inside the house were killed when gunfire began to be exchanged. One police officer was also killed and two officers of power structures were injured. The NAK immediately released the names of two of the deceased: Azamat Budaev, born 1990, and Artur Eneev, born 1988. The identity of the third was being established (*Website of NAK*, 13/12/2012).

Furthermore, a witness to the special operation and participant in the negotiations Zainab Dzhappueva indicated that the unidentified third person was in fact her pregnant daughter. According to the woman, she was allowed “only once to go up to the house and address her daughter through a megaphone.” “I had barely taken 20 – 30 steps away from the house when the shooting started,” stated Z. Dzhappueva, “they didn’t even give Indira the time to manage to get out.” (*Kavkazski Uzel*, 16/12/2012; *Gazeta Yuga*, 20.12.2012). According to her, the house caught fire immediately, officers of power structures didn't allow firemen to approach the house till the house had burnt to the ground. On the same day the remains of the building were demolished by a bulldozer. She picked small bones up at the site but experts refused to identify them (*Kavkazskiy Uzel*, 16.12.2013). A few days later the Centre for the Combat of Extremism (CCE) of the MIA for KBR clarified that the father of M. Tebuev was also found amongst the dead militants – V. Tebuev, born 1953. It is claimed that he knew that his daughter-in-law was pregnant, but allegedly did not give her the chance to leave the house. It is also claimed that the 60-year-old V. Tebuev was the one who fatally injured the police major from Moscow A. Kniazev<sup>6</sup>. “The bandits once again proved though their actions that human life for them is worthless” (*Website of the MIA for KBR*, 15/12/2013). It should be added that these words could also not infrequently relate to the police authorities.

## **The Resignation of M. Magomedov from the post of President of Dagestan: the results of his work.**

In January 2013 the President of Dagestan, Magomedislam Magomedov, unexpectedly resigned.

The story behind his departure yet again demonstrated the flaws of the current state model in Russia, which with difficulty imitates federalism and democracy. As per tradition, his resignation was set up as a voluntary act, however the dramatic events that preceded his resignation, with Magomedov’s trips to Moscow, secret discussions with the Presidential Administration, the “nuggets” of insider information in the press, indicate the opposite.

The signs of upcoming radical changes in power in Dagestan were observed by the most perspicacious observers in December 2012, when Oleg Lipatov was appointed the vice premier minister of the government of the Republic of Dagestan. Lipatov was until recently general director of the company “Nafta-Moscow”, close to senator and billionaire from Dagestan Suleiman Kerimov, who was allegedly dissatisfied with the state of his own investments in Dagestan under Magomedov. The well-informed republic weekly, “Chernovik”, citing a source in the government of Dagestan, stated that the changes would soon also reach other ministers (*Chernovik*, 10/12/2012). On 17 January 2013 deputy of the State Duma, A. Khinshtein, indicated the possible resignation of the head of Dagestan. Subsequently information leaked to the press pointed to the fact that the post of temporary acting head of the republic could be filled by a deputy of the State Duma from the Edinaia Rossiia party, Ramazan Abdulatipov. Rumours of Magomedov’s resignation generated a strong reaction from the political establishment of Dagestan. Deputies of the National Assembly made a show of support for the current head and even planned to ask for an explanation from the federal centre, demanding, “not to decide personnel issues behind the backs of the people of Dagestan” (*Kommersant*, 23/1/2013; *Kavkazskii Uzel*, 24/1/2013).

The denouement came on 28 January, when a decree of the president of the Russian Federation, V. Putin, was announced concerning the appointment of R. Abdulatipov as Acting President of the Republic of Dagestan. The same decree awarded Magomedov an obvious sinecure – the post of deputy head of the presidential administration of the Russian Federation, which was

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<sup>6</sup> According to news agency Caucasian Knot, one of the websites of the militants said that not only V. Tebuev, but also his pregnant daughter-in-law, took an active part in the battle. The other two killed were referred to by NAC as recently gone over to the underground (in late autumn of 2012) (*Caucasian Knot*, 20/12/2012).

“thought up” especially for him (press secretary of the President of the Russian Federation, D. Peskov, stated, “Changes to the existing division of responsibilities have not yet been made. We expect that these will be made in the coming days” (*RIA Novosti*, 28/1/2013). The chosen post was apparently so hastily created that Peskov immediately got into difficulties when trying to describe the functions of the new deputy head of the Administration. “He will be in charge of international relations, there will be no new subdivisions created within the department. Within the directorate for internal policies there is a department that deals with international relations. Magomedov will head this department”, stated Peskov. According to him, Magomedov will “prepare decisions, documents, coordinate with the Civic Chamber on these issues”. It remains unclear why the deputy head of the Presidential Administration is intended to head only one department of one of the directorates of the administration (*Website of the President of the Russian Federation*, 28/1/2013; *RIA Novosti*, 30/1/2013).

None of the federal or Dagestani officials could clarify what the reason was for Magomedov’s resignation. The newspaper “Kommersant”, citing its sources in the Presidential Administration, supposed that the claims made by Magomedov that Dagestan was fully capable of conducting national elections for the head of the republic roused the dissatisfaction of the Kremlin (these claims were made after the press conference in December when Vladimir Putin announced the abolition of direct elections for the head of the regions in the republics of the North Caucasus).

However, it is unlikely that Magomedov was ready to stand up for direct elections in his republic at the expense of his own position. Many experts think that Magomedov fell victim to a clan struggle, entirely unrelated to public politics.

As for R. Abdulatipov, it seems that he was so happy with his appointment that he rushed to announce it already a day before the presidential decree. Putin’s press secretary, D. Peskov, even had to disavow his statements (*RIA Novosti*, 27/1/2013, *Kavkazskaya politika*, 27/1/2013).

The reasons, motives and mechanisms for the replacement of the head of Dagestan remained entirely hidden from citizens, however even the information that was provided - no more than the tip of the iceberg - demonstrated all the contradictions, purposelessness and helplessness of Russian politics in the North Caucasus. In place of an extremely simple and understandable mechanism for the direct election of the head of republic, which was turned down by the regime, an entirely opaque struggle is taking place, in which both Muscovites and local clans are involved. And this whole ugly construction is fenced by a solid wall of hypocritical discussions about how the people of the Caucasus do not need democracy, cannot tolerate the agony of choice, and will resort to fighting amongst one another. In result, instead of an election campaign at the end of the term of the acting head, we see a hasty and messy early resignation, which is not founded on or explained by anything made public. Likewise, President Putin’s choice of the new head of Dagestan is both surprising and puzzling.

What in result? What legacy does Magomedov leave to the new head of republic and who is he?

“*We tried, we toiled,*” said M. Magomedov in his farewell speech to the people of Dagestan, “*neither myself nor my team are ashamed of our time leading Dagestan. I believe that we achieved many things – there are good achievements in both the economy and the social sphere, and even in the main problem of the district – security. I believe that there have been very satisfactory achievements in the fight against terrorism and extremism, the consolidation of society has occurred.*” (*Website of the President of the Republic of Dagestan*, 28/1/2013).

Any attempt to objectively evaluate the presidency of Magomedov leads to contradictory conclusions. From the point of view of socioeconomic development, his administration had certain successes. In 2011 Dagestan was in first place out of the regions of the NCFD for the level of investments attracted (135 billion roubles out of 346.3 billion roubles for the entire NCFD, or 39% of the total investment in the region) (*see: “NCFD development programme through 2025” p. 413; <http://www.minregion.ru/upload/documents/2013/01/150113-progr.pdf>*). Under Magomedov

several infrastructure projects were realised in the region: the Gimrinski tunnel was commissioned, the construction of the Gotsatlinkski Hydroelectric Station is coming to an end (*Website of the Government of the Republic of Dagestan*, 20/2/2013). Dagestan is set to receive a significant portion of the investment in the course of the state programme for the development for the NCFD through 2025. The ski resort “Matlas” in Khunzakhski district will be implemented first of all (*Programme document*, p. 428).

However, on the whole, the real economy of the republic is, as they say, “sleeping”. According to data by Rosstat, in 2011 in Dagestan shipped 22.4 billion roubles worth of industrial production, whilst Stavropol Krai, which has a comparable population size, shipped 174.5 billion roubles worth of production, and Karachaevo-Cherkessia, which has a population 6.2 times smaller than Dagestan, shipped 22.8 billion roubles (see: [http://www.gks.ru/bgd/regl/b12\\_11/IssWWW.exe/Stg/d1/01-05.htm](http://www.gks.ru/bgd/regl/b12_11/IssWWW.exe/Stg/d1/01-05.htm)). Trained engineers and qualified labourers have been lost. “We have got out of the habit of working hard and to a high level of quality,” admitted Magomedov in a speech to the National Assembly of the Republic of Dagestan on 31 May 2012 (*Website of the President of the Republic of Dagestan*, 31/5/2013). The agricultural sector is based on primitive manual labour and small trade.

Certain successes can be noted in the financial sector. The subsidisation of the regional budget was successfully reduced slightly (in 2008 the budget subsidy was 80%, in 2010, when Magomedov took power, it was 75% and in 2013 – 72%) (*Kavkazski Uzel*, 6/12/2007; 26/11/2009, *Website of the National Assembly of the Republic of Dagestan*, 26/11/2012). Furthermore, the volume of the republic’s tax and non-tax revenue grew from 12.5 billion roubles in 2009 to 20.6 billion in 2012 and the total annual volume of income grew in three years by 39%, from 48.5 billion to 67.4 billion. Even taking into account inflation this is a significant increase. This indicates that Magomedov’s government managed not only to increase the revenue from taxes and fees in the republic, but also to successfully “extract” money from the federal budget. Incidentally, the 2012 budget was legally increased right at the end of the year; thanks to the additional federal transfers it rose from 65.1 billion roubles to 73.4 billion roubles, almost a 9% increase (*RIA Dagestan*, 15/12/2011, *National Assembly of the Republic of Dagestan*, 26/11/2012). For comparison, in comparably well-off Chechnya, whose leader is the only one of all the heads of republic in the North Caucasus safe from the pretensions of the Kremlin (the republic also in autumn unexpectedly won a competition of the Russian Ministry of Finance for effective spending of budget funds), the budget subsidy from the federal budget in 2013 is 78% (*Chechen-Info*, 19/10/2012). However, the real subsidisation of Chechnya will most likely be significantly higher by the end of the year thanks to the extra-budgetary investments from the federal budget. (For example, in 2012 the republic’s budget increased over the year from 64.7 billion roubles to 74.3 billion roubles, with only 8.3 billion coming from its own income, making the real dependency of the budget on transfers from the federal centre between 87% and 89%) (*Website of the Ministry of Finances of the Chechen Republic, budget chapter*). For comparison, the subsidisation of the most well-off region of the NCFD – Stavropolski Krai – stands at 27% (*Rossiiskaya Gazeta*, 27/11/2012).

The tax potential (an objective economic category indicating the forecast volume of all taxes and duties of the region) of Dagestan in 2012 is second to last on the list of all regions in the country (the last is Ingushetia), and equal to Chechnya. The tax potential index calculated by the Russian Ministry of Finance (the relation between the tax potential of a region and the tax potential of the country as a whole) was in 2012 0.185 ([http://www.minfin.ru/common/img/uploaded/library/2011/09/Rezultaty\\_raspredeleniya\\_dotatsiy\\_n\\_a\\_vyravniva\\_nie\\_budzhetnoy\\_obespechennosti\\_na\\_2012-2014\\_gg.pdf](http://www.minfin.ru/common/img/uploaded/library/2011/09/Rezultaty_raspredeleniya_dotatsiy_n_a_vyravniva_nie_budzhetnoy_obespechennosti_na_2012-2014_gg.pdf)). It has a long way to go before reaching an indicator of 1.0, which would indicate a region in surplus and with no need for subsidy.

At the same time, Dagestan does not have the worst social indicators. According to Rosstat, Dagestan has a relatively high (in comparison with its neighbours) income per capita – 18.3

thousand roubles a month (the NCFD average is 15.3 thousand roubles, in Russia as a whole – 20.7 thousand - [http://www.gks.ru/bgd/regl/b12\\_11/IssWWW.exe/Stg/d1/01-05.htm](http://www.gks.ru/bgd/regl/b12_11/IssWWW.exe/Stg/d1/01-05.htm)). Unemployment in the region in the fourth quarter of 2012 was, according to Rosstat data, 12.2% compared to a nationwide average of 5.3% (for comparison the NCFD as a whole is – 13.6%, Ingushetia – 47.1%, Chechnya – 28.8%). In 2010, the unemployment level in Dagestan stood at 14.8% against a nationwide level of 7.5% (in the NCFD – 16.9%, in Ingushetia – 49.6%, in Chechnya – 43.1%) [http://www.gks.ru/bgd/free/b04\\_03/IssWWW.exe/Stg/d01/20.htm](http://www.gks.ru/bgd/free/b04_03/IssWWW.exe/Stg/d01/20.htm), [http://www.gks.ru/wps/wcm/connect/rosstat\\_main/rosstat/ru/statistics/publications/catalog/doc\\_1139916801766](http://www.gks.ru/wps/wcm/connect/rosstat_main/rosstat/ru/statistics/publications/catalog/doc_1139916801766)).

In the field of security, for which the departing president claims credit, the situation is also ambiguous. It has not been possible to crush or even quell the militant insurgency due to the unrelenting successful recruitment of young people “into the forest”. Already numerous times the militants leadership was destroyed “down to the roots”, however every time the insurgency quickly regroups its forces. The redundancy of the youth, low levels of authority of religious leaders and the authorities, total corruption of the state institutions and the breakdown of the social elevator, the excessive force of the law enforcement authorities, formalism in the prevention of extremism – these factors unrelentingly push young people “into the forest”. It is true that one institute founded by Magomedov continues to work successfully and has become even an example for his neighbours to follow – the Commission for the Reintegration of ex-Fighters, which Memorial has written about on many occasions. The Commission has already processed tens of people meaning that it has saved not only their lives, but also the lives of police officers and civilians.

## **The New Head of Dagestan: potential and perspectives**

The acting president of Dagestan Ramazan Abdulatipov has been half-forgotten in his native Dagestan. A native of the small alpine village in the far-flung Tliaratinski district, at the age of 30 he has been torn from his homeland, made a career for himself in the teaching sector in the Russian Soviet Federative Socialist Republic, and already by the 1970s had made his way first to Murmansk, then to Leningrad, and finally to Moscow. In the first years following the collapse of the Soviet Union, Abdulatipov was very active in national politics, coming out as an expert on international relations which allowed him to make a prominent position for himself in the country’s unfolding inter-ethnic conflicts. Abdulatipov participated in the preparation of the Russian constitution in 1993. In the 1990s he worked in the government of the Russian Federation. However, later on his political career became somewhat dormant – he occupied the widest variety of state functions – from member of the Federation Council to the Ambassador of the Russian Federation in Tajikistan. His latest position – deputy of the State Duma for the United Russia (*Edinaya Rossia*) party in the position of deputy chair of the Committee for Federative Structure and Local Governance. And of course, Abdulatipov demonstrates his enthusiasm towards the head of state: “I have been in contact with Vladimir Vladimirovich (Putin) for over 20, maybe even 25 years. For this reason every meeting with him gives both energy and instruction. It seems to me that it was namely after being elected one more time that Putin reached a level of wisdom and status of very high level public figure” (*Vzgliad*, 30/1/2013).

As a deputy from the republic, he paid fairly frequent visits to Dagestan, but in general took part in various kinds of ceremonies (presentation of awards, openings of new facilities), which can hardly be called participation in the life of the republic. Perhaps the only main event in which Abdulatipov participated in recent years was the third People’s Congress of Dagestan in December 2010, at which he had been presiding.

One of Abdulatipov’s key claims was the fight against nepotism, cronyism and bureaucratic privileges: “I do not have even one relative, or friend in the government of the republic.” (*Vzgliad*, 30/1/2013).

Abdulatipov has his roots in the most populous of the ethnic groups present in Dagestan – the Avar. In this sense fairness is finally considered to have prevailed – the unspoken rule has been reasserted, Dagestan should be ruled by an Avar (it was also according to this rule that the Dargin M.M. Medzhidov became prime minister). As a reminder – M. Magomedov is Dargin – representing the second biggest ethnic group of the people of Dagestan. Abdulatipov hastened to declare that he would unwaveringly respect the principle of national quota system (*IA Regnum*, 7/2/2013). In forming his new government, Abdulatipov announced a few new amendments. In particular, in place of two first deputy chairs there will now be one, although the total number of deputy chairs will remain the same – six. Three new ministries were created (transport, trade, and external economic links communications and telecommunications). On decree of the new acting head of republic, five ministries and one committee were simply renamed. The reasoning behind this undertaking is unclear (for instance, the Ministry of Education and Science of the Republic of Dagestan was renamed the Ministry of Instruction and Science of the Republic of Dagestan ([http://www.government-rd.ru/documenty/ukazi\\_prezidenta\\_rd](http://www.government-rd.ru/documenty/ukazi_prezidenta_rd)), however the replacement of all the ministry's attributes, stamps and forms will be rather costly.

It was declared that ethnic Russians would reappear in the government. It is worth mentioning that in Magomedov's government, which he appointed in March 2010, of the 21 members of government (not taking into account the security services appointed by the President of Russia), there was only one Russian female minister ([http://www.government-rd.ru/documenty/ukazi\\_prezidenta\\_rd/page/29](http://www.government-rd.ru/documenty/ukazi_prezidenta_rd/page/29)). In general, Russophilia is one of the most notable aspects of Abdulatipov's rhetoric. He praises all Russians, the shared historical experiences of Russians and Dagestanis, and demands that the conditions are made for their return. The reasons for such a position are entirely understandable if you consider Abdulatipov's personal history.

Towards the end of winter the acting president of the Republic of Dagestan announced the first results of the administrative reform with satisfaction: 64% of his government staff had been renewed. He declared that in the same way between 20% and 60% of the staff of the ministries and commissions should also be renewed, along with the local administration (*Website of the President of the Republic of Dagestan*, 14/2/2013). As Abdulatipov himself claims, all changes were brought about on his own will without any outside pressure: "For the first time in recent history not one person paid even one kopek to be appointed a position... likewise, no-one owes me even a kopek." He demands the same thing from all of his officials: "That I never again hear about any kind of kickback or bribery. Work honestly and honourably, and he who does not will serve time (in prison)" (*Website of the President of the Republic of Dagestan*, 12/2/2013; 18/2/2013). In the near future Abdulatipov is promising to bring in permanent official rotation.

However, in reality there are few new faces in the government. Many of the newly appointed ministers came from the previous cabinet. The rest have solid official experience, often from back in the (Communist) party / komsomol times. Abdulatipov characterizes some of these in a rather bizarre way, for example: "Abdulsamad Mustafaeovich Gamidov – Minister of Finance of the republic, with superb personal qualities, is not trying to fool anyone. He is continuing his work" (*Website of the President of the Republic of Dagestan*, 12/2/2013). When, on 12 February, the members of the government were officially presented, Abdulatipov had "many questions" to almost everyone, and to the chair of the Committee for the Development of Small and Medium Enterprises he even had "thousands of questions." But this didn't prevent him from reappointing them all. He demanded ministers to work "more seriously" and "work better" and at this the evaluation of their previous activities came to an end (*The website: President of the Republic of Dagestan*, 12/2/2013).

Abdulatipov admitted that at first he "intended to relieve all ministers of their functions, but this is impossible" (*Website of the President of the Republic of Dagestan*, 12/2/2013). It is obvious that Abdulatipov, by whichever motives he was initially guided, has already fallen prisoner to the existing clan system for the distribution of government functions. The promised mass return of Russians to the government was also unfulfilled – for they would also have to take someone's place.

Now Russians occupy three secondary functions: Minister for National Policies A.P. Gasanov, and Vice-Premier A. I. Ermoshkin (this position is exterritorial: Ermoshkin is the Permanent Representative of Dagestan to the President of the Russian Federation), and also the chair of the Veterinary Committee, A. M. Popandopulo. The vice chair of the government O. Iu. Lipatov, whose appointment in December last year was considered to indicate the imminent resignation of Magomedov and who was reappointed by Abdulatipov in early February 2013, already resigned on 1 March. Obviously the balance of power in Dagestan's politics has yet again changed and for now one should forget of Abdulatipov's Russophile preferences.

The new head of the republic has as yet only a general understanding of the main problem of Dagestan – the terrorist insurgency and the spread of extremism – although he has noted the main point: “Even as an amateur I am convinced that there is no clear operational, intelligence work, there are many people who have got to their place in the law enforcement in Dagestan by chance or through acquaintances” (*website: President of Dagestan, 14/2/2013*).

Abdulatipov was rather undecided when he talked of the brainchild of the previous president, the Commission for Adaptation: “The Commission has played its role, but insignificantly. The idea was a good one. I think that today we should form another commission – a republican peace building commission not only for peaceful adaptation but also prevention, to carry out all the work that remains. Such peace building commissions can be set up both in the regions and the cities of the republic. If necessary, we will need to sign pre-trial agreements, including also parents, relatives, active village members and so on. We should raise the level of responsibility of each and every person for the situation in the republic” (*Chernovik, 22/2/2013*).

Evidently, in this area Abdulatipov does not yet have a firm opinion and we should expect more details in the coming months.

## **Developments in the Chechnya-Ingushetia Border Dispute**

On the backdrop of the events in Dagestan related to the resignation of the republic's president, rumours are regularly making the rounds about how the “throne” of the head of Ingushetia, Yunus-Bek Evkurov, is also shaking and, if he is not removed from his post in time, then more likely than not he will not be presented as candidate in the regional elections in September 2013 and his political career will come to an end. As his five-year term comes to an end, Evkurov, who was initially met with great enthusiasm by both inhabitants of the republic as well as by experts, no longer provokes such a feeling.

On the backdrop of this, a loud personal scandal between Evkurov and the head of Chechnya, Ramzan Kadyrov, is continuing to develop. The scandal flared up in the summer of 2012 and in recent months seems to have lost its edge; however the Chechen side, without particularly flaunting, is trying to bring about its territorial claims on Ingushetia concerning Sunzhenski district which is currently split between the two republics (Memorial Human Rights Centre has twice thoroughly analysed the border conflict in its bulletins of summer and autumn 2012 (see: <http://www.memo.ru/d/2403.html>). In 2012 the Chechen side finalised the description of Sunzhenski district and defined its borders. In 2013 land surveys are planned. The Chechen leader expresses his conviction: “We will be the masters of our own territories and are not planning to give them away to anyone. And there is no doubt about the fact that they are part of the Chechen Republic.” (*website: Ramzan Akhmatovich Kadyrov, 29/1/2013*). The head of parliament, D. Abdurakhmanov, calls the question of Sunzhenski district an “internal issue for the Chechen Republic”, “its district” (*Vesti Respubliki, 5/3/2013*).

Under these conditions it is understandable why the bilateral inter-republican commission never started to work due to the principal differences between the two sides (*Website of the Parliament of the Chechen Republic, 29/1/2013*). The heads of parliament accuse one another of sabotaging the work of the commission and, in doing so, absolve themselves of any responsibility for assuring a final solution to the border issue (*Web-site of the National Assembly of the Republic*



of Ingushetia, 27/2/2013; *Vesti Respubliki*, 31/1/2013; 5/3/2013). The administrative, scientific, and media potential of the two republics are not comparable in size nor in the degree of their maturity. The position of the Ingush, passively defending the status quo, has been losing out from the start in comparison with the Chechen side, which is aggressively and determinately attacking on all fronts and attempting to stake more for itself in future bargaining. For example, a topic that is actively being discussed is that of the eternal Vainakh fraternity, the primacy of which of course belongs to the Chechens and which the Ingush side is supposedly destroying. The human rights ombudsman, N. Nukhazhiev, has contributed to the issue, publishing in collaboration with his assistant a monograph entitled “In search of national identity”, providing “a collection of historical documents on the past brotherhood of Chechen and Ingush peoples” (*website: Ramzan Akhmatovich Kadyrov, 29/1/2013*).

On 9 February 2013 a law entered into force in Chechnya “On bringing in changes in the law of the Chechen Republic on the creation of a municipal formation of Sunzhenski district” which had already been adopted by the Chechen parliament on 18 October 2012 and signed by R. Kadyrov on 6 November 2012 (for the full text of the law see: <http://www.parlamentchr.ru/legislation/2012>). The law came into force ten days after its official publication. It is interesting to note that the official publication was postponed for nearly two months, until 30 January 2013 (*Vesti Respubliki*, 30/1/2013; *IA Regnum*, 27/2/2013), in which time, as one can imagine, some kind of political processes were taking place. The Chechen side insists that all this time they were sending official letters to Ingushetia with a request to take part in the work of a joint commission on delimitation, but only received “vague answers” (*Vesti Respubliki*, 31/1/2013).

The story around the publication of the law has created an air of mystery and unhealthy hype. Colleagues of Chechen parliamentarians in Ingushetia, according to the speaker of the National Assembly of Ingushetia, M. Didigov, did not know what was in the law of 18 October until the day of its publication, thus the Ingush authorities could not react to it on time (*Website of the National Assembly of Ingushetia, 27/2/2013*). Incidentally, whilst writing the autumn bulletin of 2012 Memorial was also unable to find the draft of the law or its statement in any official Chechen resources.

The new law brings in major changes to the republican law of 13 February 2009 number 6-R3 “On the formation of a municipal formation of Sunzhenski district and the municipal formations that comprise it, the determination of their borders and the conference of their respective statuses of a municipal district and rural settlement” (*Vesti Respubliki*, 27/2/2009, the full text is available on <http://www.zakonprost.ru/content/regional/77/311225>). Sunzhenski district of Chechnya is now growing from a thin strip of land and two villages into a densely populated plains of Sunzhenski district of Ingushetia: the town of Karabulak, the heavily populated villages of Ordzhonikidzevskaya, Nesterovskaya, Troitskaya, Arshty and Chemulga. The Chechen law immediately renamed Ordzhonikidzevskaya as Sleptsovskaya (the historical name of this village until 1957). Over 90% of the population of all the listed inhabited areas are Ingush.

It is obvious that the transfer of Sunzhenski district to Chechnya is critical for Ingushetia in terms of maintaining the republic’s united economic and social space and could lead to the elimination of Ingushetia as a subject of the Russian Federation. For example, in Ordzhonikidzevskaya, which is 22km from Nazran, many important objects are located – the buildings of the Ingushetia State University, the national library, the Islamic institute, the art college, the Ministry for Emergencies and the State Committee on Natural Resources of Ingushetia, and nearby there is an airport.

However, the immediate outbreak of this burning conflict between the two republics is hindered by a clause in the Chechen law that the “confirmation of the border” and the implementation of events for the setting up new authorities in the disputed territories will be carried out “after the delimitation, as provided by federal law, of the administrative border between the

Chechen Republic and the Republic of Ingushetia.” That means that the law was adopted as “room for growth” – at the moment when Chechnya will triumphantly push its border to the west.

Understanding the explosive nature of the law that had been brought into force, the Ingush side did not comment on the situation immediately and did so rather restrainedly. On 27 February 2013, the head of the National Assembly of Ingushetia, M. Didigov, announced that the adoption of the law would have negative consequences for the relations between the two regions and would constrain the Ingush authorities to take “measures in response in order to protect its own land and own sovereignty”. He warned of a possible “feud” between the two peoples (*Website of the National Assembly of Ingushetia, 27/2/2013*). In some inhabited areas of Sunzhenski district of Ingushetia citizen gatherings were held. “Arshty was and remains part of Sunzhenski raion of Ingushetia,” states the resolution of the rural gathering of inhabitants of the village, situated in the forested mountainous area of Sunzhenski district of Ingushetia (*Website of Sunzhenski district of Ingushetia, 14/3/2013*).

At the same time the authorities of both republics are planning to quicken the pace of developing the infrastructure and social facilities of the bordering regions. The head of Ingushetia, Yunus-Bek Evkurov, has already declared that in 2013 alone more than one billion roubles will be directed towards the development of Sunzhenski district, the launch of more than 60 social facilities is planned, roads will be laid, water pipes and energy lines, land will be attributed to residents for individual housing. The head of the republic proposed to transform the village of Ordzhonikidzevskaya, population 60,000, into a town (it is not the first time that the issue has been raised). Ordzhonikidzevskaya is the second most populated place in the republic after Nazran, however it still has rural settlement status (*Republic of Ingushetia, 7/2/2013, 22/2/2013*).

On this backdrop, the federal authorities are preferring not to get involved in the conflict, which only compounds the problem, which with every step becomes ever more difficult to resolve. Most likely, they are expecting here some kind of decision at the highest level. The Chechen side received a formal answer to its request to the Ministry for Regional Development, which stated that “the commission for the determination of the border between Chechnya and Ingushetia no longer exists, therefore it is not possible to reply to your letter.” (*website: Ramzan Akhmatovich Kadyrov, 29/1/2013*).

## **The last year of Yunus-Bek Evkurov’s presidential term: preliminary conclusions**

Unfortunately, the President of Ingushetia did not manage to achieve noticeable results in the development of the socio-economic sphere. The main indicators in the republic (unemployment level, gross regional product, the state of the real economy, tax collection) remain bad or amongst the worst in the country. Ingushetia is now supported by the federal programme for the socio-economic development of the republic up until 2016.

There have been successes in the opening of tourist facilities. In late March 2013, the first ski resort “Armkhı” was opened – the Ingushetian side of the North Caucasus tourist cluster – 1200 metres of ski pistes, a cable car, a chalet at the peak of the resort, accommodation adjacent to the pistes of the “Armkhı” health spa which has existed for many years (*Moskovski Komsomlets, 24/1/2013*). In this respect, Ingushetia managed to overtake all remaining subjects of NCFD, who, for the most part, are still only planning their segments of the cluster (with the exception of the nearly finished resort of Arkhyz in Kabardino-Balkaria). The completion of the pistes was declared back in December 2012, however the opening was postponed numerous times and ultimately was held only on 20 March 2013 (*Republic of Ingushetia, 19/3/2013; 20/3/2013*).

The greatest merit that should be accorded to Evkurov is the reduction of the activities of the extremist underground. It was for this purpose that he was appointed in place of M. Ziazikov, who had lost control of areas of the republic. The peak of losses amongst the security services came after

the first 6 months of Evkurov's presidency, after which losses steadily declined and reached a many-year low in 2011 (according to Memorial's statistics – 16 killed and 31 injured). In 2012, there was somewhat of a surge of renewed extremist activity (according to Memorial's statistics – 35 killed and 45 injured), however it is too early to talk of any solid tendency towards a worsening criminal situation. The official data on losses sustained by the security services in Ingushetia in 2011 and 2012 are close to Memorial's calculations (in 2011 – 13 killed, 24 injured (*Website of the Public Prosecutor's Office, 24/1/2012*); in 2012 – 29 killed and 53 injured – *Website of the Public Prosecutor's Office of Ingushetia, 28/2/2013*; according to data of the MIA for Ingushetia – 32 killed, 38 injured – *Website of the National Assembly of Ingushetia, 19/3/2013*). However, on the backdrop of these figures Evkurov's declaration that the number of recorded crimes of a terrorist character in 2012 compared to the same period in 2011 dropped by 49% (*Republic of Ingushetia. Documents section*) seems queer. The results for the number of militants who gave in are also ambiguous. According to the data of the Presidential Administration of the republic there were 47 such cases in last year – this is not only a lot, but also significantly more than the number of militants killed in special operations – 36 people (*Republic of Ingushetia. Documents section*). And this could point to a break in the tendency towards resolving extremist problems peacefully. However, according to figures cited by the Minister of Internal Affairs for Ingushetia, A. Trofimov, last year in Ingushetia only 10 militants gave themselves in (*Website of the National Assembly, 15/3/2013*). It is possible that such a significant difference can be explained by the fact that the minister does not take into account those classed as “accomplices”.

At the same time, as before in the republic and in the neighbouring region of North Ossetia regular tragic occurrences take place that have a large resonance.

On 30 January 2013 the Deputy Minister of Construction of Ingushetia, Sultan-Girei Khashagulgov, was killed in his home. According to official information, in the course of a search that was being carried out in his home, Khashagulgov suddenly produced a pistol from a hiding place and opened fire indiscriminately on employees of the FSB. One of the members of the security services was wounded and hospitalised. The search was being carried out as part of an investigation into a terrorist attack in the market of Vladikavkaz in September 2010 during which hundreds of people were killed and injured. The 52-year-old ex-deputy minister was the older brother of Isa Khashagulgov, convicted of the attack, and Yakub Khashagulgov, who was arrested a few days before the death of Sultan-Girei on suspicion of preparing the crime. According to intelligence reports, S-G. Khashagulgov maintained contacts with militants active in the territory of Ingushetia and gave them material support (*NAK, 13/2/2013*). However the majority of people in the republic compare the death of S-G. Khashagulgov with the murders of members of the Ingush opposition in recent years – Magomedov Evloev and Maksharip Aushev. Khashagulgov was considered an influential and independent opponent of the republic's authorities. Magomed Khazbiev, member of the Ingush opposition, thinks that the security forces had no basis for suspecting Khashagulgov of having connections with militants. In an interview with the French radio station RFI, given one day before his death, Sultan-Girei Khashagulgov stated that he felt pressure from the authorities, linked this with his participation in the activities of the Ingush opposition and said he was expecting that they would try to kill him. “They're not planning on putting me in jail, they're planning on killing me... I won't go anyway. If they kill me they kill me. If I'm left alive I will live” said Khashagulgov (*Kavkazski uzel, 15/2/2013*).

On 6 December 2012, after 22:00, in North Ossetia-Alania (not far from the administrative border with Ingushetia) Ahmed Vaskhaevich Buzurtanov, born 1983, inhabitant of Maiskoe village of the Republic of North Ossetia-Alania and a trainer at the “Kaloi” sport club, was abducted under unexplained circumstances. According to his sister, Liza Buzurtanova, who came the following day to Memorial Human Rights Centre's office, on 6 December late at night after training sportsmen at one of the schools in Nazran, Ahmed left for Maiskoe in his white “Lada-Priora” car. However, he did not return home and was not answering his phone. The following day workers found

Burzurtanov's car in a quarry on the outskirts of Maiskoe. The windows were smashed, as were the left headlight and bumper. In addition, his personal belongings were found not far from his home. Based on this disappearance Prigorodniy district's investigative department of the Investigative directorate of the Investigative Committee for North Ossetia-Alania opened a criminal case based on Part 1 Article 105 (murder) of the Criminal Code (<http://www.memo.ru/d/139175.html>).

The disappearance of such a popular and well-regarded individual shook the republic. The investigation into Buzurtanov's disappearance was taken under the personal control of the President of the Republic. On 11 December he held a meeting with the athletes of the "Kaloi" sports club – around 200 people (*Republic of Ingushetia, 11/12/2012*). A week after the abduction he held a special meeting of representatives of law enforcement authorities. However, the results of the investigation are inconclusive. According to the acting head of the Investigative Directorate of the Investigative Committee of Russia for North Ossetia-Alania Zaurbek Begiev "there are witnesses to what happened, but little information, no car licence plate, no car brand, they talk of some voices, but nothing specific" (*Republic of Ingushetia, 15/12/2012*). On 19 December at the public prosecutor's office of North Ossetia-Alania chaired by the Public Prosecutor of Ingushetia, Pavel Beliakov, and the Prosecutor of the Republic of North Ossetia-Alania Vladimir Vekshin a joint meeting of the employees of the Prosecutor's Offices of Ingushetia and North Ossetia-Alania on the subject of "Additional measures to increase the effectiveness of cooperation of the Prosecutor's offices of North Ossetia-Alania and Ingushetia in order to ensure legality in the implementation of measures for the prevention and combat of crimes of a national and religious nature, and also the search for people who have disappeared without a trace" (*Website of the Public Prosecutor's Office of Ingushetia, 19/2/2012*). These are the only results in search for Buzurtanov. As in many previous cases, Ingush bloggers and representatives of the independent press did not fail to once again turn their attention to the fact that the personal intervention of the head of the republic had absolutely no effect. The authority of Evkurov received one more significant blow.

This winter, the President of Ingushetia was obliged to employ quite some efforts related to a whole series of incidents related to Ingush students studying in various regions of Russia – in Moscow, Rostov, Saratov, and particularly – in neighbouring Stavropol Krai, which has the highest number of students from Ingushetia. A total of around 4,000 students from Ingushetia study in different regions around Russia (*Republic of Ingushetia, 9/2/2013*). Unfortunately, a group of them stand out for their participation in fights and stabbings. After yet another similar incident in Stavropol, when a local inhabitant ended up in intensive care with knife wounds, the President of Ingushetia had to personally travel to the neighbouring region in order to meet with the trouble-makers. One of the media agencies gave the following account of the meeting, when Evkurov instructed the trouble-maker: "Your ancestors in the Second World War threw themselves at German tanks on their horses, lay down their lives in Stalingrad, Brest, and you throw yourself at unarmed people with a knife!" (*Republic of Ingushetia, 9/2/2013*). The problem is considered to be very serious by the Ingush authorities and as having risen to epidemic proportions. The following day in Magas a meeting between representatives of various agencies and the parents of the offender was held (*Republic of Ingushetia, 9/2/2013*). In mid February 2013, at a meeting with the envoy of Ingushetia to Rostov, Evkurov called on youths to renounce their "night adventures" which cause such conflicts (*Republic of Ingushetia, 15/2/2013*). On the orders of the head of the republic, in many regions of Russia where Ingush students study representatives of the diaspora started checks and educational conversations. After looking into the state of Ingush students in Moscow a rather unpleasant picture came out: some students studying at prestigious universities of the capital on assisted places intended for inhabitants of Ingushetia, had been expelled for skipping classes and academic failure. The list of failed students is published in the governmental broadcasting company of Ingushetia and in the regional press (*Republic of Ingushetia, 22/1/2013*).

## **New rulings of the European Court of Human Rights on cases brought by inhabitants of the North Caucasus**

In winter 2012/2013, the European Court of Human Rights (ECHR) delivered three judgements on cases brought by Russian citizens living in the North Caucasus related to events of the continuing armed conflict in the region. In one case, the organisation “Russian Justice Initiative” (Tangiev v. Russia) represented the applicant, in another a lawyer of the Memorial Human Rights Centre, D. Itslaev (Aslakhanova and others v Russia), along with “Russian Justice Initiative”, in another – lawyers for the European Centre for the Protection of Human Rights (EHRAC, London) and Memorial Human Rights Centre (Doka Suleimanov and others v Russia).

One of the judgements of the court in the Doka Suleimanov v Russia case, which was conducted by lawyers from Memorial and the EHRAC, concerned a very recent incident related to the abduction of a person in 2011 by members of the law enforcement authorities of Chechnya. Until now, the judgements of the ECHR were delivered on events occurring between 1999 and 2006, and crimes allegedly committed by the federal power structures. This is the ECHR’s first judgement on a crime committed after the establishment in Chechnya of Ramzan Kadyrov’s regime of personal power. In this court case, the ECHR for the first time applied Rule 39 of the Rules of Court in a context of abduction in the North Caucasus. Rule 39 had not been applied before, as the ECHR always demanded irrefutable evidence that the person was in the hands of the state agents.

It should be noted that judgement rendered was yet another complaint brought by residents of Chechnya. The ECHR again brought to the Russian Federation’s attention the systematic nature of the problems with Russian courts’ investigation and consideration of cases related to abduction and indicated the regularity of the infractions of several articles of the European Convention of Human Rights and Fundamental Freedoms (*Kommersant*, 18/12/2013).

### **Tangiev v. Russia (judgement delivered on 11/12/2012)**

On 11 April 2003, employees of operative investigation bureau (ORB-2) and Staropromyslovskiy police department of the city of Grozny arrested the applicant Timur Tangiev at his home in Grozny. As the applicant’s evidence shows, in the course of his arrest police officers beat him, and burnt his body with cigarettes and matches. They brought Timur to the Staropromyslovskiy police department, where he was repeatedly beaten. Over the course of the following months he was kept in the investigative cell of the police department and ORB-2, where he was subjected to systematic torture, including use of electroshocks, beatings, and asphyxiation. Finally, the applicant signed a statement admitting to killing two police officers, participation in a carjacking and possession of a firearm. The prosecutor refused to open a criminal case about the torture, although there were legal medical conclusions and witness testimonies that confirmed Tangiev’s accusations. In October 2004, Timur was sentenced to 23 years in prison on the basis of his confession, which was made as a result of torture.

The European Court held that the Russian Federation had violated Article 3 of the European Convention under its substantive limb on account of the applicant’s allegations of ill-treatment in custody, as well as a violation of Article 3 under its procedural limb on account of the authorities’ failure to carry out an effective investigation. The Court also held there had been a violation of point 1 of Article 6 on account of the unfairness of the criminal proceedings of the applicant. The Court required the Russian Federation to pay 45,000 Euro compensation in respect of non-pecuniary damages and 2260 Euro for costs and expenses (*Website of the Russian Justice Initiative; Die Welt*, 12/12/2012).

### **Doka Suleimanov v. Russia (judgement delivered on 22/1/2013)**

The son of the applicant, Tamerlan Suleimanov, worked as a mechanic at a car repair garage on Kirova Street in Grozny. At around 11am on 9 May 2011 a group of eight armed men in black uniforms arrived at the garage in two civilian “Lada-Priors” cars. They put Suleimanov into one of the cars and drove away. The applicant claims that the abductors were employees of the law

enforcement authorities, who had already arrested his son two days earlier. In July 2011, the applicant received confirmation from a reliable source, the identity of whom he cannot reveal for the safety of this person, that his son was detained in the village of Yalkhoi-Mokhk, was being subjected to ill-treatment by members of the law enforcement authorities, who were demanding him to admit to his participation in militants' activities and the preparation of a terrorist act. The applicant communicated to the investigator looking into the abduction of his son the location of where Tamerlan was being detained. On 20 July 2011 the investigator confirmed to the applicant that he knew that Tamerlan was being held at this place but said that it was “impossible to find a means of releasing Tamerlan through a legal process.”

On 26 July 2011 the applicant requested the ECHR to apply Rule 39 of the Rules of court, according to which the ECHR may indicate to the state defendant in a case to take urgent interim measures to ensure the safety of Tamerlan. Three days later, on 29 July, the ECHR applied Rule 39 and indicated to the government of Russia to ensure its investigative authorities full access to all premises of the law enforcement base in Yakhoi-Mokhk and determine whether Suleimanov was being, or had been, held at this place.

Russia was requested to provide full documentation showing the execution of this demand by 2 August 2011.

Regardless of the adoption of the fast-track procedure, it was not possible to determine Tamerlan's whereabouts – he had disappeared without a trace. The very demand of the ECHR to urgently take measures to ensure the safety of the captive was practically sabotaged: the court's request was only carried out after a few weeks, and those who carried it out were the same people who possibly took part in Suleimanov's abduction.

The court held that there had been a procedural violation of Article 3 of the Convention on Human Rights. At the same time the court did not hold that there had been a violation of Articles 5 and 34 of the Convention, nor a substantial violation of Article 3. The father of Tamerlan Suleimanov was accorded compensation for non-pecuniary damages of 12,500 Euro plus expenses (6,000 Euro).

An important characteristic of this affair was not only that the ECHR for the first time applied the urgent procedure (Rule 39) in relation to a case from the North Caucasus (traditionally the ECHR renders abduction on cases involving kidnap five or more years after the crime took place, when there is no longer serious hope of saving the person), but it also considered the case even though all efforts had not been fully exhausted at the national level. The applicant turned to the ECHR only 16 days after the abduction. Formerly, applicants did not dispute the actions or non-action of the authorities at the national level as from the very beginning it was obvious to them that the authorities were not acting. This incident showed that contrary to the standard requirement to exhaust all available means of legal protection at the national level, the ECHR is ready to consider a case almost immediately after the crime has taken place, if the applicant can reasonably demonstrate the unwillingness of the authorities to resolve the problem.

At the same time Memorial is disappointed that the ECHR did not take into account evidence of the involvement of the law enforcement agencies in this crime (<http://www.memo.ru/d/144165.html>, *Novye Izvestiya*, 24/1/2013).

#### **Aslakhanova and others v. Russia (judgement rendered on 18/12/2012)**

This case considered by the ECHR covers five different incidents of abduction that took place between March 2002 and July 2004 (“Aslakhanova v. Russia”, “Shidaevs v. Russia”, “Sagaipova and others v. Russia”, “Madina Amkhadova and others v. Russia”, “Barshova v. Russia”). The number of applicants totalled 16 people from five families. One of the applicants and eight relatives of the applicants had been detained by armed men in masks in the course of a special operation. Criminal proceedings were brought for all of the abductions by the law enforcement authorities, however they were consequently closed due to the impossibility of establishing either

the location of the disappeared people or the identity of the abductors. Since the applications were originally brought individually it is useful to quickly detail the main elements of each incident.

*Satsita Aslakhanova v. Russia*

At around 10 in the morning on 10 March 2002 a large group of Russian servicemen carried out a “clean-up” operation on Dzerzhinkogo street in Grozny. They arrived in APCs and military “Ural” trucks, entered houses and checked passports. The husband of the applicant, Aпти Avtaev, born 1967 and inhabitant of Urus-Martan, who was located in one of the houses, was arrested for allegedly not staying at the place where he was registered. He was taken away in an unknown direction and has not been seen since. Investigations did not bring results.

*Shidaevs v. Russia*

Abuiazid Shidaev disappeared on 25 October 2002 after being detained by servicemen at a checkpoint of federal forces near Sunzha river, 15 minutes walk from the applicant’s home in Grozny. Since this time the applicants have had no information on his whereabouts. They turned to various law enforcement agencies for help. An investigation was launched but over the course of several years no significant results were obtained.

*Sagaipova and others v. Russia*

On the night of 22 February 2003 a group of Russian servicemen in APCs detained Aiub Nalbiev at his home in the village of Dachu-Borzoi. Later that night Badrudin Abazov and Ramzan Tepsaev were arrested in their homes by servicemen. All of them remain missing to this day.

*Malika Amkhadova and others v. Russia*

Between 7am and 8am on 1 July 2004, armed persons stormed the apartment of Aiub Temersultanov in Grozny. They pushed Aiub’s wife into the corner of the room, searched the apartment and led Temersultanov away. He was put in a UAZ vehicle, which was the last in a column of military vehicles. The column left Grozny heading westwards. Since then nothing has been known of Temersultanov’s fate. An official investigation into his abduction was initiated, but did not produce any results.

*Barshova v. Russia (judgement rendered 18/12/2012)*

On 23 October 2002 at around 2am a large group of Russian servicemen burst into the Barshov household in Grozny. They searched the house and detained Anzor and Sulumbek Barshov. They tied up other members of the family and taped up their mouths before leaving. The family has had no news about Anzor and Sulumbek to this day.

In its judgment on the case of Aslakhanova and others v. Russia, the ECHR held that there had been a substantive violation of Article 2 (right to life) of the Convention in respect of the applicants’ eight relatives – Aпти Avtaev, Sulumbek Barshov, Anzor Barshov, Abuiazid Shidaev, Aiub Temersultanov, Aiub Nalbiev, Badrudin Abazov and Ramzan Tepsaev; procedural violations of Article 2 of the Convention in respect of the failure to investigate effectively the disappearance of the applicants’ eight relatives; violation of Article 3 of the Convention (prohibition of torture) in respect of the applicants; violation of Article 5 of the Convention (right to liberty and security of person) in relation to the applicants’ disappeared relatives; violation of Articles 3 and 5 of the Convention in relation to Akhmed Shidaev in relation to the inhumane and degrading treatment he was subjected to and his illegal detention; violation of Article 13 of the Convention (right to effective means of legal defence), in conjunction with Articles 2 and 3 of the Convention.

The applicants were awarded fair compensation for non-pecuniary damage (Satsita Aslakhanova – 60,000 euro, Larisa Barshova – 120,000 euro, Akhmed and Belkiz Shidaev – 60,000 euro, Akhmed Shidaev – 7,500 for violation of Article 3 of the Convention in his respect, Malika Abubakirova, Aminat and Tanzila Temersultanov – 60,000 euro, Satsita Sagaipova, Khadizhat, Aminat and Abu Nalbiev – 60,000 euro, Seda Abazova – 60,000, Tatiana and Aminat Magomerzaev – 60,000), pecuniary damage (Satsita Aslakhanova – 14,000 euro, Malika Abubakirova, Aminat and Tanzila Temersultanov – 16,000 euro, Satsita Sagaipova, Aminat and

Abu Nalbiev – 14,000 euro) plus costs (“Russian Justice Initiative” – 4,182 euro, D. Itslaev – 15,000 euro).