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Bulletin of Memorial Human Rights Center

The situation in the zone of conflict in the Northern Caucasus: an evaluation of human rights activists Summer 2010

Memorial Human Rights Center is continuing its activity in the Northern Caucasus. We offer our regular Bulletin: a brief description of the main events of the three summer months of 2010, as well as some generalisations and tendencies of the situation's development. While preparing the Bulletin, materials gathered by members of Memorial Human Rights Center in the Northern Caucasus, published on the Memorial's web-site, reports of mass media and the Resolution of the Parliamentary Assembly of the Council of Europe on the human rights situation in the Northern Caucasus have been used.

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On 22 June, the Parliamentary Assembly of the Council of Europe (PACE) adopted a tough resolution on the issue of the observance of human rights in the Northern Caucasus. The resolution was prepared based on the results of the trip of **Dick Marti**, PACE spokesman dealing with the problem of effectiveness of legal mechanisms in the Northern Caucasus, who visited Chechnya, Ingushetia and Dagestan on **22 – 27 March 2010**.

Over a long time, while Dick Marti was making his preparations for a travel to Russia in order to prepare his report (he was not permitted to enter and waited for more than one year), the Memorial cooperated with him, constantly sending him their materials concerning the human rights situation in the Northern Caucasus. During his trip, the spokesman of PACE visited representative offices of the Memorial in Nazran (Ingushetia) and in Grozny (Chechnya), where they arranged his meetings with

victims of and witnesses to unlawful violence, with people declared to be offended in a number of criminal cases and lawyers.

He also met representatives of human rights organisations and, particularly in Chechnya, members of joint mobile groups (JMG) of human rights activists (Regarding JMG see for details: www.memo.ru/2010/04/01/0104101.htm#).

In the end of May, a Draft Resolution and a Report attached to it (an Explanatory Memorandum) were approved by the Human Rights Commission of PACE and made public. The Draft Resolution stated, in particular, the authorities are continuing to maintain the climate of total fear in the Chechen Republic, despite some decided successes in the restoration of and a substantial improvement in the infrastructure of the region. The situation in the sphere of human rights, including the functioning of the system of public justice and democratic institutions, cause an extreme concern: systematic disappearance of the opposition's representatives and of human rights advocates often remain unpunished and are not investigated with due diligence. Punitive measures are taken against the families of persons who are suspected of being involved in the activity of illegal armed groups (their houses are set on fire, suspected persons and their relatives fall victims to abductions or become objectives of serious threats). There reigns an atmosphere of continuous intimidation of civil society and mass media, and tribunals manifest an obvious inertness with respect to excesses committed by law-enforcement agencies. Analogous tendencies may be observed in Ingushetia and Dagestan. In this regard, the aspiration of the Ingush Republic of the leadership to meeting the wishes of civil society, the readiness to carry on a dialogue forces opposing the authority was noted as a positive fact. Though, the coercive method of resolving problems prevails here too. Regarding the Chechen Republic, it was emphasized that the situation there is evolving *"in an atmosphere of personalisation of power, which appears to be shocking for democracy by virtue of its exorbitance"*.

The Report also touched upon the murders of persons, committed abroad and extremely thorny for the Chechen authorities. These persons had accused President of the Chechen Republic **R.Kadyrov** of terror, abductions and tortures (www.memo.ru/2010/06/29/2906101.htm). To many deputies of PACE and observers' astonishment, the Draft Resolution was also approved, without demur, by members of the Russian delegation, who had always made a row against "the interference of European deputies into internal affairs of Russia" in the previous years. This time only the words about Kadyrov's personality cult provoked a remark of Deputy Head of the Russian Delegation Leonid Slutsky. As a result, in the Resolution these words were replaced by the above-stated phrase about "the personalisation of power". Nevertheless, in the Report attached to the Resolution the analogous expression remained unchanged: *"What really surprises and even shocks an external observer is the cult of personality which is imposed in Chechnya as distinct from the two other republics"* (www.memo.ru/2010/06/30/3006101.htm, *Kavkazsky Uzel*, 22.6.2010).

On 22 June, at a session of PACE, all the members of the official Russian delegation were saying that the Report was good and objective, although not devoid from some mistakes. In this regard, they either voted affirmatively, or abstained from voting. Nobody voted negatively. A question arises inevitably: "What does it mean? How can one explain such an unexpected behaviour of the Russian delegation?" the most varying considerations were suggested. It is obvious that without clear-cut instructions from the Kremlin such a voting could have hardly taken place. Probably, the Russian authorities have at last really realised that without observance of human rights it is not possible to achieve stability in the Northern Caucasus; in the highest echelons of the Russian authority there matures an understanding that it is required to introduce changes in the policy implemented in the Northern Caucasus. One might just rejoice at such a development of the situation. However, the three months that passed since that session of PACE have not produced any distinct changes in the Kremlin's policy in the Northern Caucasus. Therefore, another variant is more probable: the Russian authorities, simply create an image of a liberal politician for Medvedev, as they often do in these latter days, nothing else. We may note that on the eve of the session of PACE, on 17 July, in Moscow, the members of the Memorial **Oleg Orlov**, **Aleksander Cherkasov** and **Svetlana Ganushkina** presented a Report of Memorial Human Rights Center: *"The mechanisms of impunity in the Northern Caucasus (2009-2010): How do they function?"*. The Report (for the full text see: www.memo.ru/2010/06/18/1806103.htm) contains a description of numerous facts of violations of human rights in the process of carrying out counterterrorist measures, as well as an analysis of state agencies' system of sabotage, whose official

functions should involve suppression and investigation of these crimes. The Report of Memorial Human Rights Center confirms the conclusions of Dick Marti, taken as a basis of the Resolution of PACE. The practice of state terror (abductions, forcible disappearance) persists and has begun to extend to other regions of Russia. The main negative consequence of this practice: it provokes further escalation of the conflict, making young people flee to the “woods” (www.memo.ru/2010/06/21/2106103.htm).

The consequences of the meeting of President of the Russian Federation with human rights activists on 19 May 2010: expectations and disillusion

In the previous Bulletin (www.memo.ru/2010/07/23/2307101.htm), we were noting that on **19 May 2010**, in the course of the Kremlin Meeting of President of the Russian Federation **Dmitry Medvedev** with representatives of the human rights advocacy community, who are working in the Northern Caucasus, it became possible to inform Head of the State about the thorniest problems of the life in the region. At the Meeting, the matter concerned the continual practice of abductions, tortures, extrajudicial massacres of people committed by representatives of law enforcement agencies; the degeneration of the judicial system, the total corruption, the inoperativeness of governmental campaigns with regard to moral upbringing of young population, etc. It was said, in particular, about the impunity of crimes of “law enforcement officers” in Chechnya and the general atmosphere of fear, which is being spread over the Republic. Judging by D.Medvedev’s reaction, some facts became an unexpected and unpleasant piece of news for him. Herein consists the main achievement of the meeting (for a detailed report of the Meeting, please see: www.memo.ru/2010/05/19/1905102.htm).

Already the very readiness of President of the Russian Federation to listen to all these facts infused some timid hope for the authority’s turn towards real steps directed at resolving the topical problems of the region. However, a short time later, on 30 July, the initiator of the May meeting, Ella Pamfilova, Chairman of Council for Promoting Development of Institutions of Civil Society and Human Rights under President of the Russian Federation, tendered her resignation. The reason for the dismissal, according to her own confession, became her consciousness of an inefficiency of the activity in conditions of strong antagonism to any initiative of the Council on the part of officialdom. In an interview to the American magazine “Newsweek”, given after her resignation, E.Pamfilova termed the situation with human rights protection in Russia as “completely hopeless” (Newsweek.com, 9.8.2010). E.Pamfilova was to a considerable extent prompted to make a decision regarding her resignation by a slander campaign against her and the Council, engineered by representatives of the party “Yedinaya Rossiya” [*United Russia*] and associated non-youth movements. The campaign was eagerly joined by a number of regional human rights commissioners, including N.Nukhadziev, a desk-bound human advocate from Chechnya, who declared that “some individual organisations”, represented in the Council, do not concern themselves about protection of human rights of citizens and about development of civil institutions, and that the Council should be altogether reorganised by replacing its present members by certain young human rights activists from the regions (News Agency Grozny-Inform, 27.7.2010).

But “the main disappointment” of Ella Pamfilova consists in that President Dmitry Medvedev “is sinking amidst absolute indifference demonstrated towards him by the people who are holding power”. E.Pamfilova said to the correspondent of “Newsweek: “... Even in those cases when our Council found common language with President Dmitry Medvedev, his system failed him, and we did not see any results of his actions... The system will not work: someone is unwilling to obey orders of President” (Newsweek.com, 9.8.2010).

This particularly means that the consequences of the Meeting of President of the Russian Federation with independent human rights activists, despite its unique format, will most likely be insignificant. No specific instructions of President or of his Representative in the North Caucasus Federal District A.Khloponin followed, by which one might judge that the facts stated by D.Medvedev were employed for elaborating practical decisions. (The five orders given by President of the Russian

Federation, the execution of which is scheduled for October 2010, bear no direct and immediate relation to protection of rights). Even if one supposes that D.Medvedev became interested in what was pronounced by the human rights advocates in the Kremlin on 19 May, the overall policy of the state in the sphere of observance of human rights during all the subsequent summer months of 2010 remained unchanged. The steps taken by Head of State this summer (the presidential amendments to the Law of the Federal Security Service, which expand the latter's authorities, the very fact of the acceptance of E.Pamfilova's resignation by President and the subsequent factual termination of the work of the Council, the inexplicably dashing inspection of several dozens of nongovernmental organisations in September, which resembled an act of deterrence), the same as continual violations of human rights in the course of carrying out special operations, testify to this.

Ramzan Kadyrov threatening the Memorial

On 3 July, one and a half month after President of the Russian Federation D.Medvedev received in the Kremlin the human rights activists among whom there were five employees of the Memorial Ramzan Kadyrov stated his opinion about "the memorialtsy" [*members of Memorial Human Rights Center*] in an interview given to the television channel "Grozny". He labeled the people connected with the Memorial as "*enemies of the people, enemies of law, enemies of the state*". (*The television channel "Grozny", the show "An interview with President", 3.7.2010*). Furthermore, he declared that the main task of the Memorial is writing "*all sorts of foul things and rubbish*" about Chechnya in the Internet, for doing which its employees allegedly receive huge money from the West.

Considering the present-day situation in Chechnya, Memorial Human Rights Center interpreted such public utterance of President of Chechnya as a direct and undisguised threat to its members. Republican functionaries and officers of Chechen law enforcement agencies may perceive the words of Kadyrov as a directive for acting against the Memorial and its employees, with all consequences that this step may imply. The situation with the threats addressed to the Memorial strongly resembled the last year's state of affairs which preceded the murder of **Natalya Estemirova** (www.memo.ru/2010/07/08/0807101.htm).

Many representatives of Russian and foreign community treated Kadyrov's threatening seriously and tried to bring their concern to the Russian authorities. So, the Spokesman of PACE for the situation with human rights in the Northern Caucasus Dick Marty announced that he considered the words of President of Chechnya to be "inadmissible and unworthy".

(www.memo.ru/hr/hotpoints/caucas1/msg/2010/07/m212947.htm). Members of the Council for Promoting Development of Institutions of Civil Society and Human Rights under President of the Russian Federation (13 people altogether) applied to Dmitry Medvedev on **20 July 2010**, asking him "to

intervene into the present dangerous situation and do his best in order to guard the human rights activists working in the Chechen Republic, also including "the memorialtsy", against threats and defamation emanating from officials, ensure the possibility of regular work for them, and exclude the potential of unlawful violence on the part of representatives of state agencies with respect to them".

Obviously, there followed a certain reaction from "the top". In any case, a few days later Kadyrov in a pointed manner modified the tone of his declarations concerning human rights activists and even expressed his bewilderment regarding the sensation over his words "*about the hazard to the life of human rights activists allegedly existing in Chechnya*". "*Nobody in Chechnya has threatened them and is not threatening*", he assured. Speaking of the Memorial, he underlined that "*it has never entered anybody's head in the Republic to impede its activity*". President of Chechnya also announced that "*there are no secret topics and problems in the Republic. There are no issues which it is prohibited for anyone to raise and discuss...*". And lastly, Kadyrov said: "*We will not allow anybody to obstruct the activity of human rights activists*". (News Agency "Interfax", 11.7.2010). The official human rights advocate of Chechnya N.Nukhazhiev, in his turn, added that "Ramzan Kadyrov's words contained neither threat, nor pressure». According to N.Nukhazhiev, "*even being an official, he has a right, like*

every man, to express his private opinion". (News Agency "Grozny-Inform", 21.7.2010). One cannot but recollect that Chairman of Council of Memorial Human Rights Center **Oleg Orlov**, who chanced to express his personal opinion regarding Kadyrov, has been under criminal prosecution already for one year because of this.

The anniversary of the Natalya Estemirova's murder: the crime has not yet been solved

15 July 2010 is an anniversary of the murder of our colleague **Natalya Estemirova** who was abducted in Grozny and shot on the territory of Ingushetia. The investigation of the criminal case of the killing of Natasha has lasted a year to the day. In the recent few months, there comes into picture some information about the course of the investigation, gradually and from various sources.

On 8 July 2010, a Press Conference "The Investigation of the Murder of Natalya Estemirova: Questions to the Crime Investigators" was held in the Independent Press Centre with the participation of **O. Orlov**, Chairman of Council of Memorial Human Rights Center; **S.Ganushkina**, Head of the Programme "Migration Right" of Memorial Human Rights Center, Chairman of Committee "Civil Assistance", Member of the Council For Promoting Development of Institutions of Civil Society and Human Rights under President of the Russian Federation; **A.Cherkasov**, Member of Council of Memorial Human Rights Center; **T.Lokshina**, Human Rights Watch Investigator for Russia and Lawyer on the part of complainants **R.Karpinsky** (www.memo.ru/hr/hotpoints/caucas1/msg/2010/07/m211322.htm).

Aleksander Cherkasov explained the reasons which compelled all the participants to speak at the Press Conference: as it was known from Lawyer **Roman Karpinsky** who got acquainted with the materials of the investigation, during the last months the investigators, apparently, decided in favour of one version (please see: www.memo.ru/2009/07/16/3.jpg), and to all appearances they believe their work to have been finished at this point. The militant **Alkhazur Bashaev** was designated for the role of a murderer, already killed, who assertedly disliked N.Estemirova. Thus, the crime may be declared to be solved in a short time, the legal process will become unnecessary, and the main thing all suspicions of the involvement of the state authority in the crime will be put out of court.

The other versions, in the first place those associated with the cases that Natasha dealt with, namely abductions of people, extrajudicial executions (in particular the materials relating to the public execution of **Rizvan Albekov** in the village of Akhkinchu-Borzoi on **7 July 2009** and the abduction of **Apti Zainalov** on **26 July 2009**), the burning-down of houses of the militants' families by officers of law enforcement agencies of the Chechen Republic remained uninvestigated.

Alkhazur Bashaev, "appointed to be guilty", was killed during a special operation in November 2009. High-profile crimes in general are often written off at the expense of killed militants (the latest examples: in August of the current year it was declared that all organisers of the terrorist act as of 17 August 2009 on the territory of the Nazranovsky Municipal Department of Internal Affairs were killed, when above one hundred people died and were wounded; also all the organisers of the March terrorist acts in the Moscow Metro in 2010 were eliminated).

But if the investigators were assigned a task of indispensable forgiveness of the murder at the expense of the militants, then somebody had to start inventing such a version. Then it might seem very convenient to utilise for this purpose "the Memorial-collected" material about militants, which was stored among other things on the hard disk withdrawn from N.Estemirova's computer.

According to Svetlana Gannushkina, at first there was "*a clear feeling that the investigators were interested in resolving this crime*". The first interrogations of employees of Memorial concerned the work of Estemirova herself, and those cases which she read into during the last days of her life (the abductions, the public execution).

However, by *spring 2010* the questions of the members of the investigation team concentrated exclusively on Memorial's publications about insurgents. In this regard, the inspectors expressed, in private conversations, their doubts regarding the fact that this trend of the investigation might lead to an exposure of Natasha's real murderers.

According to S.Gannushkina's opinion, the main incriminating evidence against Bashaev became a hiding place, found by law enforcement bodies and presented to the investigators, in which there were a gun using which Estemirova was killed, and a fake certificate of an employee of Ministry of Internal Affairs with A.Bashaev's photo. *"There is just a sincere acknowledgment of the murder yet missing, written in good time, which the insurgent would have also stored in this hiding"*, S.Gannushkina jokes bitterly. (www.memo.ru/2010/07/08/0807101.htm).

The statements of high officials made in the summer and in the autumn concerning the course of the investigation of this crime, only strengthened the doubts of the public.

Thus, on the day of the first anniversary of N.Estemirova's murder President of the Russian Federation Dmitry Medvedev, at press conference in *Yekaterinburg* devoted to the results of the Russian-German interstate consultations conducted in this city, reported the following: *"Here the situation is following: I regularly receive reports from our Investigations Committee. The sense of the latest report is such ... The investigation is proceeding at full speed ... The executor of murder has been determined and precisely ascertained: a killer ... He was put on the international wanted list. And at last, ... now some investigatory actions are going on, directed at not only ascertaining the executor who is already being searched for but also at finding the orderer of this grave crime"* (the site of President of Russia, 15.07.2010).

If the murderer is put on the international wanted list, then the investigators probably assumes that he is absconding abroad?

Oleg Orlov expressed his doubts in this connection: *"I do not understand what it is all about. if the question is, according to the materials of the investigation, about the insurgent Alhazur Bashaev, then how can he be on the wanted list? A.Bashaev has been killed. If this version of the investigation is meant, then I am deeply disappointed"* (*The News Agency "Interfax"*, 15.07.2010).

A statement made by Head of the Investigations Committee under the Public Prosecutor's Office of the Russian Federation on September 28, 2010 **Alexander Bastrykin** has even more confused the situation and caused some bewilderment. According to him, Natalia Estemirova's murderer is known and presently all measures are being taken for its detention. *"Together with law-enforcement bodies we have managed to seriously move forward in the investigation of this case. The executor is known to us"*, A.Bastrykin said at a meeting with a delegation of the International Committee for Protection of Journalists. In this regard he added that he wished *"to comment on the statements of a number of human rightsactivists that he [the executor of murder] has allegedly died. According to some information of special services with which we are jointly conducting the search, he is alive. Moreover, he is on the territory of Russia"*. As explained by A.Bastrykin, the region, in which the murderer resides, is known. It is planned to detain and transfer him to tribunals in the nearest future. *"We are convinced of the guilty of the assumed executor, it is confirmed by the evidence in the case"*, Bastrykin underlined. It is known that the joint search of the criminal is being carried out by divisions of Ministry of Internal Affairs and FSB [*the Federal Security Service*] (New News, 28.9.2010).

Bastrykin failed to mention the surname of the suspect, but as it became known to "Novaya Gazeta" from an informer who is directly participating in the investigation, Alhazur Bashaev is yet miraculously considered to be the one. According to Bastrykin, recently the remains of some insurgents, presumably among which was also the body of Bashaev, were exhumed and sent for an DNA examination. Next day, following Bastrykin's statement the same source told a correspondent of "Novaya Gazeta": *"A.Bashaev is unambiguously alive. He got in touch. This was determined using some operational means. Ministry of Internal Affairs in the North Caucasian and Southern federal districts gave us this information"*. To a question, whether a DNA examination had been carried out, the inspector said as follows: *"No, it has not been yet performed. The bones there are still being soaked. But Bashaev is definitely not among the killed persons. Now we have an order: to catch him alive!"* ("Novaya Gazeta", 29.9.2010).

Official legal protection in Chechnya today

One year after N.Estemirova's murder, the activity of Memorial in the Chechen Republic is highly hindered, though is not forbidden officially. But for local, regional human rights organisations it is even more difficult to work. They are being closely watched by the official human rights advocate N.Nukhazhiev who considers it his duty to constantly direct their activity to “the correct channel”.

Apart from the supervision over the public, Human Rights Commissioner in the Chechen Republic has concentrated on two aspects: demands to investigate the crimes of the past years and applications concerning infringements of the rights of the Chechens at the present time outside the Chechen Republic. Infringements of human rights on the territory of the Republic itself remain out of his view today.

For many years, N.Nukhazhiev has insisted on carrying out works relating to identification of bodies of missing persons, arranging an identification laboratory on the territory of the Chechen Republic, as well as activating works associated with removal of mines on the territory of the Republic. And “the memorialtsy” have advanced analogous demands throughout the years. But there are basic distinctions regarding their work. First, we not only speak, but also procure investigation of specific crimes using for this purpose, in particular, complaints lodged with the European Court of Human Rights. Secondly, we do not restrict ourselves to time constraint and we do not ignore the problem of disappearance of people, tortures and extrajudicial executions occurring in the modern Chechen Republic.

Understanding that one should not break away from the reality, N.Nukhazhiev found an original way out, channelling all his human rights vigour beyond the bounds of the Chechen Republic. The very life during the last months gave him plentiful nourishment for his heavy activity and stinging declarations: now some Chechen teenagers were beaten up in a children's camp on the Krasnodar territory; then some buses with football fans from the Chechen Republic were pelted with stones, while itinerating Ingushetia; then a young man was killed in Moscow, whereas some Chechens turned to be murderers. The fighting against the image of the Chechens as “*blood-thirsty savages*” (*this is an expression of Nuhazhiev himself* as commented by Memorial Human Rights Center; please see the site of Human Rights Commissioner in the Chechen Republic, 02.08.2010) beyond the bounds of the Republic, irrespective of the degree of the participation of the Chechens themselves in similar incidents, became one of the main and favourite themes of the official human rights advocate. It is here that N.Nukhazhiev redirects the attention of independent human rights activists in a demanding manner (please see the site of Human Rights Commissioner in the Chechen Republic, 02.08.2010).

A surprising ability of not noticing a beam in one's own eye, while being on the alert regarding the observance of human rights outside the Republic, is demonstrated by the case of the detention and beating-up of **Zelimkhan Chitigov**, a native of the Chechen Republic, by Ingush militiamen in the village of Karabulak of the Ingush Republic. On **21 July 2010**, N.Nukhazhiev demanded that President of the Ingush Republic should initiate a criminal case with respect to Ingush security officials who exceeded their powers of office (please see the site of Human Rights Commissioner in the Chechen Republic, 21.07.2010). The case of Chitigov shows “the operational efficiency” of the work of the Office of Human Rights Commissioner in the Chechen Republic. In this case, they reacted to Z.Chitigov's abductions and tortures almost three months later: the young man was detained on **28 April 2010**. His parents immediately applied to the Office of Memorial Human Rights Center in Nazran, and the information about this incident was posted on our site (www.memo.ru/hr/hotpoints/caucas1/msg/2010/04m205850.htm). An official inquiry was sent to the address of Prosecutor General of the Russian Federation. Based on the inquiry, a prosecutor's inspection and a criminal trial with respect to the unascertained militia officers who had committed violence in the case of Z.Chitigov was initiated. At last, on **1 July** Z.Chitigov was released on his own recognizance. The information about the developments around Z.Chitigov was published by Memorial on **21 June** (www.memoru/2010/06/21/2106101.htm). It was only after all this that N.Nukhazhiev learned about the abduction. He “did not hesitate” to express his indignation and demanded that a criminal case should be initiated, but in fact the action had already been raised long ago!..

In this connection, it is appropriate to remind N.Nuhazhiev that inhabitants of Ingushetia are also regularly taken out by Chechen security officials to the territory of Chechnya, subjected to torture and disappear without a trace. And the Chechens themselves do disappear on the territory of Chechnya, although it is more and more difficult to reflect this statistically, both because of problematic nature of the work of “the memorialtsy” in the Republic, and the fact that inhabitants are frightened and refuse to open their problems to public.

Human Rights Commissioner in the Chechen Republic could have interfered with “going too far” in the field of the struggle for good morals of the Chechens. In June, it got about that some unknown people were riding in their cars through Grozny and shooting at bare-headed girls, using paintball guns. The aggrieved persons found out via their sources that one of the cars belonged to officers of an operational search unit of Ministry of Internal Affairs of the Chechen Republic. (www.memo.ru/2010/06/10/1006101.htm). After learning about this, President of the Chechen Republic R.Kadyrov only approved of “the undertaking” and promised to award a commendation to the marksmen (www.memo.ru/2010/07/08/0807101.htm).

Does it not seem to N.Nuhazhiev that it is in this case that one should demand that the authorities should implement a complete and objective investigation of the crimes? No, it does not seem so to him. And what he deemed to be correct was awarding medals “For Protection of Human Rights” to Minister of Internal Affairs A.Alkhanov and his Deputy H.Edilov, on the wording: “For a weighty contribution to the cause of protection of constitutional rights of citizens, the development of co-operation in the field of human rights and the active participation in the construction of civil society” (*the site of Human Rights Commissioner in the Chechen Republic, 20.07.2010*).

The armed resistance: a resounding defeat or a new round of the war

Essential progress was achieved in the struggle against the terrorist underground in the North Caucasus during the last months. A number of notorious insurgents, who had been at the helm of the extremist movement in the region in recent years, were either eliminated or detained: **Said Buryatsky**, **Anzor Astemirov** and many others. In the summer, there continued to be delivered some telling blows on insurgents. In *the beginning of June*, the detention in Ingushetia of **Ali Taziev** (alias **Akhmed Yevloev**), one of the main leaders of the underground, nicknamed as **Magas**, was declared. He headed the extremely active resistance in Ingushetia for some years (“*Kommersant*, 10.6.2010). The most singular case, in recent years, of the detention of an insurgent of such a high level alive, obviously yielded a quick positive effect. *On 11 June*, an elimination of a large group of insurgents already in the Chechen Republic was declared. Later on, there appeared some messages that this group included a Jordanian **Yasir** who was known as an expert at blasting operations (*News Agency “Grozny-Inform”, 13.6.2010*). Official bodies asserted that the evidence concerning the location of the accomplices was given by the arrested person Magas. All in all, according to the information of FSB, 240 rank-and-file insurgents and their 11 leaders were (*News Agency “Interfax”, 15.06.2010*) eliminated during the first half of 2010.

Probably, these successes of federal and local power structures contributed to a new split in the camp of armed opponents of Russia in the Northern Caucasus.

Soon after the capture of Magas, *in June, 2010*, the leader of North Caucasian insurgents **Doku Umarov** appealed to “mujahedins” in a video address in which he admitted that “some rugged times for the Jihad have come to our land” (*Hunafa.com, 16.07.2010*). And on **2 August** a video clip was displayed on the site “Kavkaz-Tsentr” [*Caucasus Centre*] in which D.Umarov unexpectedly informed that, because of his poor health he delegates his authority in “Imarate Caucasus” to **Aslambek Vadalov**, a little known militant who had been appointed some time ago a deputy (“na’ib”) of D.Umarov. This delegation of the power unexpectedly confirmed R.Kadyrov's repeated statements that D.Umarov was seriously ill, abandoned, lonely, that he controlled nobody and he was already “*ready to blow himself up out of despair*” (R.Kadyrov referred to an intercepted flash-card which, as he explained, D.Umarov

had sent to his representative in Ukraine) (from an interview to *Russian News Service*, 16.6.2010, *News Agency "Grozny-Inform"*, 13.06.2010).

However, a new turn happened in this story a day later. In his video clip D.Umarov disavowed his own statement and returned the status of "Emir of Imarat Caucasus" to himself. In a video clip displayed on the site "Kavkaz-Tsentr" it was declared that the previous statement had been completely fabricated". *The director of the Information Department of Imarat Caucasus, Movladi Udugov*, was dismissed from his office for this information failure ("Kommersant", 13.08.2010).

In the ensuing days, the events developed sweepingly, laying bare the depth of the disorganisation in the camp of insurgents. Chechen insurgents and Arabian Wahhabites who were waging war jointly with them declared of their disobedience to Doku Umarov who fell on his face due to his inconsistent declarations of resignation and returning. Some video frames captured some 50 members of illegal armed groups, sitting on a hill. In the first row, there turned to be two Chechen warlords: Aslambek Vadalov and **Khussein Gakaev**. Next to them was an Arab, Mukhhadan, who was engaged in the training of terrorist suicide bombers ("Kommersant", 14.08.2010) according to the information of Ministry of Internal Affairs and FSB. Soon some insurgents from Kabardino-Balkaria, Ingushetia and Dagestan made their statements, who supported D.Umarov and called upon "the brothers" from Chechnya not to split their "struggle" (*Hunafa.com*, 11.08.2010).

Some characteristic wordings of the messages of North Caucasian "Mujahedins" to each other (for instance: "*We proceed from the information which had reached u, and, of course, we do not know all nuances*": *Hunafa.com*, 06.08.2010) state that there is no stable relation between their groups, not to mention coordination and co-subordination. Nevertheless, the discussion that was launched in the summer demonstrably showed the crisis of institutes of "Imarat Caucasus": Chechen insurgents pointed to the fact that D.Umarov "*disrespected the Majlis*" (a representative regulatory body), whereas their opponents, particularly **Magomed'ali Vagabov (Saifullakh)**, "the kadhi" (the Supreme Judge) of "Imarat Caucasus" urged the insurgents "*not to altercate*", placing an emphasis on the fact that it was necessary to comply with the oath given to D.Umarov until the latter commits "an obvious kufir", that is a treason in favour of Russian authorities ("*Dzhama'at "Shari'at"*", 08.08.2010).

This whole story, undoubtedly, caused a serious detriment to the image of the leadership of insurgents. However, by the end of the summer, the discussion on pages of extremist Internet editions subsided, and to all appearance D.Umarov's supporters managed to return at least the information space under their control. Properly, even at the height of the scandal it was quite controllable by them: the basic Internet resources of insurgents representing all "the vilayats" of "the Imarat", such as "Kavkaz-Tsentr", "Hunafa", "Guraba", "Islam Din", "Dzhama'at Shari'at" (the latter has started to be termed as "Caucasian Jihad" of late) and others joined the side of D.Umarov. But the part of insurgents who expresses their discontent posted declarations in the little known "vainakh" forum www.lamanserlo.com, that does not completely specialise only in covering Islamic and extremist subjects (the forum is full of anecdotes, "pulling off pranks", etc.).

It is unlikely the insurgents are strongly united now, and there hardly really exists a unified command centre controlling terrorist attacks. Judging by the fact that D.Umarov quickly reacts to changes in the situation in Dagestan (according to his published orders) and almost does not response to events in Ingushetia, Chechnya and Kabardino-Balkaria. The focus of efforts of the insurgents of "Imarat" has moved to Dagestan. It is there that representatives of law enforcement bodies sustain the greatest losses now (please see the Table below).

It is worthy of note that if the new "Emir" of Dagestan was appointed by "an omr" (decree) of D.Umarov already 10 days after the death of the "old Emir" M.Vagabov on 20 August 2010 ("*Caucasian Jihad*", 01.09.2010), then nothing has been known about the appointment of the new "Emir" of Ingushetia after the capture of Magas for three months. On **11 August**, the site of Ingush insurgents *Hunafa.com* posted a unique statement of a certain "emir" and "valiya" of Ingushetia **Adam** about whom nothing is known. The sites reported nothing on his appointment effected by D.Umarov. Who is currently controlling Ingush insurgents is not clear. On **23 August**, during a special operation in the village of Plievo the 23-year-old **Ilez Gardanov** was killed, who has been a leader of the Plievsky underground group and headed the whole underground on the territory of the Republic (*Ingushetiaru.Org*, 31.08.2010), according to the Republican Directorate of the Federal Security Service. There exists an even more exotic situation in Kabardino-Balkaria where the local "Emir"

Abdullakh entirely “inherited” “*the burden of emirship*” from **Anzor Astemirov** who bequeathed this post to him before his death in **March 2010** (from a video address of “Emir” Abdullakh posted on the site *Hunafa.com*, 15.08.2010).

After the scandal in the camp of insurgents, the comments of Russian high-ranking officials addressed to D.Umarov and regarding the prospects of the whole extremist movement in the Northern Caucasus were becoming more and more sarcastic. Also D.Umarov himself fed this by his inconsistent and illiterate declarations. When D.Umarov admitted the organisation of the blasting of a private car garage not far from the office of “Gazprom” in Moscow on **9 August**, they started to speak about his mental inadequacy so much the more (“*Коммерсант*”, 13.08.2010).

However, soon the insurgents again managed to make a name for themselves loudly. On **17 August**, there occurred two massive acts of terrorism at once. The first explosion happened in the centre of Pyatigorsk, the capital of the newly formed North Caucasian Federal District. Near a café in the crowded Kirovsky Avenue a passenger car stuffed with 30 to 40 kg of an explosive exploded. Fortunately nobody died, but the number of victims reached 30 people (*Russian News Agency “Novosti” [news]*, 17.08.2010, 18.08.2010). A few hours before, a suicide bomber blasted himself at a traffic police post on the administrative border of North Ossetia and Ingushetia. Two militiamen were perished, three more were wounded.

In the end of the summer, the insurgents demonstrated their ability to concentrate sufficiently powerful forces and inflict telling blows on the opponent. An impressive demonstration of this was a night attack on 29 August on R.Kadyrov's patrimonial village of Tsentoroi (KhosiYurt) where R.Kadyrov himself was present.

For good reasons, the village has been until recently considered as the safest place in the Chechnya. The insurgents numbering above 30 people (according to official information) or 60 people (as per the information of the site “Kavkaz-Tsentr”) struck a blow on the sleeping settlement. Moreover, according to the insurgents, they fought their way up to a position 150 metres distant from the Residence of President of the Chechen Republic. Insurgents had time to burn down several houses (as per their information: 10) and cars. Insurgents claim that outright three groups consolidated their forces during the attack. The information about mutual losses is considerably different. President of the Chechen Republic asserted that the fight was a hit-and-run battle, and 12 insurgents were quickly eliminated through the fire of sharpshooters. On the part of the militiamen, according to R.Kadyrov, 2 persons died. Later the Investigation Committee under the Prosecutor's Office published some information about the demise of 6 militiamen and the injury of 18 people and, apart from that, about the injury of 7 more peaceful civilians (“*Kavkazsky Uzel*”, 30.08.2010). R.Kadyrov strongly disagreed to this statement and admitted that only 4 peaceful dwellers were injured with blast fragments. But the insurgents claimed that they had killed at least 15 militiamen (out of this number 5 people were killed specifically, while they themselves lost five men (“*Kavkaz-Tsentr*”, 29.08.2010).

It is quite probable that the attack on Tsentoroi had not been coordinated with D.Umarov and it was meant to demonstrate the self-reliance and force of the breakaway wing of the insurgents.

One more hotbed of tension is Kabardino-Balkaria where attacks on representatives of bodies of legal order and power already occur almost daily. And on **21 July**, a large-scale terrorist act took place at an infrastructural installation, the *Baksansky hydroelectric power station*, as a result of which in which result two security guards were killed, some employees of the power station turned to be injured. Through several explosions, two of three hydrounits and the control system of the station were destroyed. The act of terrorism became possible in many respects due to the scandalous carelessness and negligence of the security guards (“*Commersant*”, 21.7.2010, “*Vlast*”[*authority*], 26.07.2010). One cannot but pay attention to the steady growth of the number of victims among security officials in Kabardino-Balkaria. This summer, 14 people were killed and 17 others (please see the Table) wounded. Meanwhile, during the summer of the last year there were only 8 wounded men; in autumn 2009 4 people were killed and 6 men wounded, in winter 2009/2010 there were no victims, but in spring 2010 7 security officials were already recorded as killed and 10 more wounded.)

Table. Losses of law enforcement bodies and military servicemen according to reports of Russian press agencies in summer 2010

	June		July		August		Total	
	Killed	Wounded	Killed	Wounded	Killed	Wounded	Killed	Wounded
Chechnya	3	6	8	13	9	33	20	52
Ingushetia	4	7	3	16	2	4	9	27
Dagestan	21	18	23	14	12	21	56	53
Kabardino-Balkaria	3	2	5	11	6	4	14	17
North Ossetia-Alania					2	3	2	3
Karachaevo-Cherkessk Republic			1				1	
Total	31	33	39	54	31	65	102	152

31 peaceful civilians perished and 109 more were wounded during the same period in the zone of the armed conflict in the Northern Caucasus.

For comparison, in *spring 2010*, as a result of terrorist acts and combat collisions with insurgents, 64 representatives of power structures and 135 people were wounded. The main quantity of the losses (32 killed and 60 wounded men) was accounted for Dagestan. In *summer 2009*, 142 people were killed and 208 more wounded. The major amount of the losses (47 killed and 114 wounded men) then fell on Ingushetia. The latter fact is the most notable: the number of attacks on militiamen in Ingushetia after the detention of the longstanding leader Magas reduced essentially; and the losses of law enforcement agencies decreased by many times. Probably, not only the policy directed at physical elimination of the underground, but also the efforts of President of Ingush Republic Yevkurov aimed at organising preventive and expository activity with young people and their relatives are yielding a positive effect. The future will show, whether this tendency will become steady.

The Dagestan underground

Against the background of the discord in the camp of Chechen insurgents, who have always been “a driving-force” of the resistance to the Russian state in the Northern Caucasus, now the situation in Dagestan has come to the foreground, where the count of people killed and harmed in combat clashes and terrorist acts on both sides was at times kept by tens of victims per day. For example, only on **16 June** 10 insurgents were annihilated in different areas of the Republic. In this regard, 5 security officials died and 9 more were wounded (*“Kommersant”*, 17.06.2010).

A sharp aggravation of the situation in Dagestan for the last months was explained by the activity of the leader of the Dagestan underground **Magomed’ali Vagabov**, who is considered, in particular, to be the organizer of the explosions in the Moscow Underground in March this year. Recently, he has acted under the name of **Saifullakh Gubdensky** (more often called simply **Saifullakh**, it is not to be confused with **Anzor Astemirov**, “Emir” of Kabardino-Balkaria, killed this spring, who was also nicknamed as **Seifullakh**, “the Sword of Allah”), and his position was designated as “Kadhi of Imarat Caucasus and Emir of the Dagestan front”, as well as “valiya of Vilayat Dagestan” since 15 July 2010. He was appointed to these posts by Doku Umarov (*Dzhama’at Shariat*, 13.08.2010). Vagabov’s resignation of his secular name; a publication of his voluminous biography on a site of Dagestan insurgents, in which his deep knowledge in the field of Muslim theology and the Arabian language, received, in point of fact, in Pakistan (*Dzhama’at Shariat*, 08.08.2010, 13.08.2010) were especially emphasised, are suggestive of the idea that the 35-year-old Vagabov was proposed for the role of a spiritual leader of insurgents free after the elimination of Sa’id Buryatsky.

A record of a “shura” of Dagestan “emirs”, held on **30 July 2010** in connection with Saifullakh’s appointment to be “Emir of the Dagestan front” was called upon to show the orderliness and coordinateness of Dagestan insurgents. A video picture depicts seven “emirs” with Vagabov at the head,

as commanders of all “sectors” of “the Dagestan front”, as well as one man in charge of “the special battalion”. Two more “emirs” are absent “for valid reasons”. An off-screen announcer declared that in each sector of “the front” “kadhis”, sharia judges (*Dzhama'at Shariat*, 7/30/2010), would be appointed. The post of “a kadhi” had not been previously mentioned in the nomenclature of positions of insurgents, insofar as one can imagine it based on messages posted on their sites.

Less than one month after “the shura” held on **21 August** M.Vagabov and his four his fellows in arms were killed as a result of a special operation in *the village of Gunib*. On **1 September**, D.Umarov announced “emir” Khasan (Israpil Velidzhanov) who had supervised “the Southern sector of the Dagestan front” to be a new “emir” and “valiya” of Dagestan (“*Kavkazsky Jihad*” [*Caucasian Jihad*], 01.09.2010).

It is early to judge whether the annihilation of M.Vagabov will affect the activity of the insurgents. Meanwhile the militants of Dagestan are vigorously reporting on the pages of the site “Dzhama'at Shariat”, which was declared to be an official body of “Vilayat Dagestan” on 18 August 2010, that “*a zone occupying several hundred square kilometres, beginning from the foothill Buinaksk and including a few mountainous areas, is practically under the complete control of mujahedins*”. It is asserted that there occurred massive resignations of employees from the ranks of the militia, whereas over one hundred young men in Dagestan went “to the Jihad” just during the first half of this year (*Dzhama'at Shari'at*, 16.08.2010).

Insurgents systematically eliminate militiamen and other representatives of authority. This summer saw a tragical end of the story of the family of the Magomedovs from the village of Gubden in the Karabudakhkent'sky area of Dagestan. The head of the family, an employee of Ministry of Internal Affairs Abdulmalik Magomedov was killed in **October 2008** in a fire-fight with militants under Magomed'ali Vagabov, the leader of Dagestan insurgents. In **November last year**, his widow Yelena **Triftonidi**, as well as A.Magomedov's daughter and sister were blasted on his tomb. On **13 August 2010**, the last representative of the Magomedovs' family, Senior Militia Lieutenant Rasul Magomedov, was shot down in Gubden. It is common knowledge that the family were actively opposing religious extremists who had been seriously deep-rooted in Gubden: the militiamen Magomedovs struggled with them using power methods, whereas Ye.Triftonidi, a teacher of Russian, fought applying her advocacy at school, and after her husband died she contended by appearing at press conferences and on TV (“*Kommersant*”, 13.07.2010, “*Novoye Delo*” [*new business*], 20.11.2009).

The struggle with extremism: new experiments

Although representatives of authority keep mechanically estimating the number of insurgents as amounting to a few dozens, an extreme concern about the situation is obvious.

Power methods of influencing insurgents are inefficient: as secular birds they revive again and again. The influence of propaganda on the minds and souls of insurgents and circles sympathising with them is insignificant. There remains nothing but to try again to offer amnesty to them. During summer 2010, presidents of all four republics stricken by armed opposition, Ingushetia, the Chechen Republic, Dagestan and Kabardino-Balkaria, declared that it was necessary to announce amnesty to insurgents in order to persuade them to come out of “the wood” and return to peaceful life. It is curious to note that the declarations about amnesty were made at different times, and views of the presidents of the above-listed republics regarding the form and content of this measure are different. This reflects the situation of almost total absence of interaction between the republics at the front of the anti-terrorist struggle and mirrors various strategies and techniques of this struggle. An attempt made this winter and spring by Chechen and Ingush law enforcement bodies to conduct a joint offensive against insurgents in the frontier zone between two republics failed and it is already forgotten.

Therefore, it is no wonder that Ingush authorities, for example, wish to suggest to President of the Russian Federation that he should declare amnesty to only several dozens of natives of Ingushetia. Obviously, this concerns specific persons regarding whom it is known for certain that they have gone to

“the wood” (“*Kavkazky Uzel*” [*Caucasian knot*], 05.07.2010). The Dagestan leadership, in its turn, yet has no concrete plan of amnesty. According to **Bekmurza Bekmurziev**, Minister of National Policy, Information and External Relations of Dagestan Government, it is known only that the president of Dagestan **Magomedsalam Magomedov** “*is trying to achieve adopting a federal law on serious amnesty and on granting the possibility of returning all insurgents* (these words are emphasised in bold type by us: Memorial Human Rights Center) *to peaceful life ...*” (“*Novoye delo*”, 11.06.2010).

An equally uncertain opinion about the concrete content of amnesty is also expressed in Kabardino-Balkaria. At a meeting with representatives of the community of the Baksansky District, President of the Republic **Arsen Kanokov** declared: “*Those who have somehow appeared to be next to them, but not yet passed the point of no return, have the opportunity to come back to peaceful life. And I call on them to do this until it is not too late. Talk to your fellow-villagers, to neighbours and relatives in order to ward off the disaster from our children*” (Russian Information Agency “*Novosti*”[news], 30.07.2010).

President of the Chechen Republic R.Kadyrov is, as always, the most concrete regarding his words and affairs. Bypassing the State Duma of the Russian Federation, to which the prerogative to declare amnesties belongs, in *the beginning* of July President of the Chechen Republic R.Kadyrov addressed insurgents directly appealing for them to hand over their weapons, undergo a test for their involvement in committing grave crimes and in case of absence of any claims on the part of law enforcement bodies, return to peaceful labour (*the site “Ramzan Akhmatovich Kadyrov”, 07.07.2010, News Agency “Grozny-Inform”, 08.07.2010*). It needs to be reminded that one year ago R.Kadyrov was saying just the opposite: on **24 June 2009**, soon after an attempt on Ingush President Yevkurov’s life he

The authorities of Ingushetia declare that there are not more than 30–40 insurgents in the Republic. But the truth is that the base of aiding and abetting is considerably wider (*News Agency “Interfax”, 22.06.2010*), and Ramzan Kadyrov estimated the number of Chechen insurgents to be 70–80 people in the end of **May 2010** (“*Kavkazsky Uzel*”, 24.05.2010).

declared that there would be more no amnesties to insurgents: “They have chosen their destiny: those who wanted returned from the wood and occupied themselves with peaceful work. And we cannot play the role of teachers indefinitely and persuade, beg and forgive. It cannot be tolerable, when after attempting on a militiaman’s, an imam’s, a president’s life and spilling their blood they would then come back from the wood like innocent lambs” (*News Agency “Interfax”, 24.09.2009*).

Totally various approaches to so-called Wahhabism may serve as an acknowledgement of the fact that between North Caucasian republics there is no interaction in the struggle against religious extremism. While non-conventional Islam is emphatically forbidden in the Chechen Republic, in Dagestan representatives of authority more and more frequently make statements about a possibility of peaceful co-existence and dialogue with supporters of salafism (Wahhabism) despite the operation of a special law on the struggle against Wahhabism in the Republic. A wide circulation of this doctrine in Dagestan is an accomplished fact; many habitations have been divided now based on a confessional attribute. Here representatives of authority propose to translate the conflict into the sphere of theological and scientific disputes: “*Violence should not precede Islam; knowledge, beliefs, an argument and a personal example should be there in the vanguard... It is necessary not to introduce censorship but to explain, educate, persuade...*” (an excerpt from **B.Bekmurziev's** statement, “*Novoye Delo*”, 11.06.2010). There sounds an appeal for carrying on “*dialogue despite everything*”. “*Certainly, in the ranks of so-called Wahhabites there exists a radical armed wing, and its members are mixed up in many things, but we do invite even them to dialogue*”, B.Bekmurziev declared.

Alongside with this, in Dagestan they consider the experience of “the Chechenisation” of the conflict in the Chechen Republic in mid 2000s to be positive, when the cause of the struggle against the underground was gradually given into hands of local security officials the strength of whom was simultaneously increased many times. The Republic’s authorities applied to President of the Russian Federation with a proposal that the composition of the 102-nd Separate Brigade of Tactical Designation of the Internal Forces under Ministry of Internal Affairs, deployed in the Republic, should be reinforced with two battalions completed with some local contingents for conducting the struggle against insurgents in the mountainous region. The assumed actions strength of the battalions is 400 people. The

proposal was approved by President of the Russian Federation, but no specific dates of its implementation have not been yet published (*“Nezavisimaya Gazeta”*, 18.08.2010). Apart from the augmentation of efforts, Dagestan authorities also rely on the “positive” experience, as they consider, of the Chechen battalions of the Internal Forces “Sever” [*the North*] and “Yug” [*the South*], completed with local residents. According to First Vice-Premier of Government of Dagestan **Rizvan Kurbanov**, “unlike federal servicemen, they know all mountain roads and pathways on their territory and they can distinguish a representative of traditional Islam from an extremist even by external characteristics” (*“Kommersant”*, 13.08.2010). But the truth is that they would not enlist former militants in these armies, as distinct from the practice of the Chechen Republic. It is also an important thing that this measure will enable to direct the energy of jobless young people who make “a risk group” into a useful channel: it is out of such a contingent that insurgents recruit people to join “the wood brothers”.

Similar steps can quite succeed, if one considers that in Dagestan young men aspire to join the army, and their parents pass many thousands under the table for young people to be enlisted in military service. This gives them a chance to keep their sons out of unemployment, dependence and “the woods” (*Russian News Agency “Dagestan”*, 07.07.2010). Meanwhile, the annual conscription is rather insignificant: 2 to 3 thousand people (*ITAR-TASS [Information Telegraph Agency of Russia]*, 11.06.2010). In this respect, the establishing of the Dagestan battalions can be positively evaluated.

Besides, Dagestan authorities are seemingly ready to resort to a revival of citizens-in-arms similarly to those that were organised in **1999** for repulsing the attack of **S.Basayev’s** detachments. Chairman of Government **R.Kurbanov** declared in the mid July that “hundreds of applications are coming in from peaceful citizens who are ready to unite around the law-enforcement block and render assistance to us. Probably, their help will be arranged in the format of a squad” (*“Novoye Delo”*, 23.07.2010). At the same time, the danger emanating from similar home guards can outweigh their positive effect. In 1999, the dominant role in warding off the attack of insurgents was played by the army, whereas some home guard groups began ‘pogroms’ [*massacres*] of the houses of the local Chechen population. And only thanks to some emergency measures of Dagestan authorities that it became possible to prevent the development of the situation into ethnic mop-ups. And now home guard groups, obviously, will be again formed according to an ethnic characteristic. In the conditions when there are hotbeds of interethnic and intercommunal tension in the Republic, this presents some apparent danger. It was the presence of similar home guard structures that contributed to the escalation of the conflict in the Progorodny District of North Ossetia in 1992.

Dagestan at a dead-lock

As already noted, the most the critical situation has developed for recent months in Dagestan. Terrorist acts and attacks on representatives of authority in the Republic occur daily. Alongside with total corruption, unemployment, infrastructure collapse, a high crime rate and universal proliferation of arms, it creates an extremely adverse public and economic climate. Here is a vivid example characterising today's situation in Dagestan: on **1 August**, there took place a mass fight between inhabitants of two villages of the Gergebilsky District, namely in Kikuni and Gergebil, motivated by a land dispute of two people. About 400 persons participated in the fight. Some firing began, as a result of which 3 persons were killed and 7 more wounded.

When a column of militiamen proceeded to the place of the incident next morning, it was exposed to massed intense fire of insurgents as a result of which 18 militiamen were wounded (*“Kommersant”*, 02.8.2010).

President of Dagestan **Magomedsalam Magomedov**, as a person who bears no responsibility for the activity of the former administration and who is rather free from the influence of the local elite, sees into the Republic’s problems and attaches more and more disturbing and directly alarmist characteristics to the situation. This no more the case that law enforcement bodies are not capable of protecting citizens from encroachments of insurgents, but that the opposition in Dagestan increasingly acquires traits of a

civil war. According to Minister of National Policy **B.Bekmurziev**, *“it is not the question of the number of terrorist acts and attempts on law enforcement officers and officials’ lives. It seems that both representatives of traditional Islam and their opponents understand, to what abyss the Republic is moving”* (*“Novoye Delo, 11.6.2010*). This is manifested in premeditated murders of religious public figures belonging to the non-salafit doctrine, which become more frequent, in attacks on heads of administrations and common citizens, to say nothing of the fact that while committing terrorist acts insurgents pay no attention to victims among peaceful population. And representatives of power structures are equally unscrupulous in their means. They abduct, torture and kill people, simulating the struggle against extremism.

Republican authorities abide in perplexity and obviously do not know what to do. Barely had the talks about the amnesty calmed down (which has not yet resulted in real consequences) when on **22 July**, after a two-year boy died in consequence of a terrorist act and another child was heavily mutilated, Government of the Republic of Dagestan announced an ultimatum to insurgents and their abettors: they must either surrender and stop committing their crimes against peaceful citizens or they will be annihilated (*“Novoye Delo”, 23.07.2010*).

At a Meeting with President of the Russian Federation in Sochi on **11 August** President of the Republic of Dagestan **M.Magomedov** admitted that the Republic’s power structures are currently not capable of providing the protection of citizens against gangsters and the underworld. After that, Head of Ministry of Internal Affairs of Dagestan **Ali Magomedov** was dismissed from his post by a Decree of President of the Russian Federation (*“Nezavisimaya Gazeta”[Independent Newspaper], 18.08.2010*). Magomedsalam Magomedov mustered his courage to admit that republican authorities have suffered a defeat in *“the ideological confrontation radically-minded groups”* as well. He also said that Government *“yet fails to find social, economic and legal tools for effective counteraction to extremism”* (*Russian News Agency “Dagestan”, 29.6.2010*). Meanwhile, the measures as per *“Complex Program for Counteracting Religious and Political Extremism in the Republic of Dagestan for 2009-2011”* are being carried out formally, and in a convivial manner (*Russian News Agency “Dagestan”, 07.07.2010*).

The Republic’s economic situation is deplorable. Dagestan is essentially inferior to the neighbouring regions in its rates of social and economic development. Magomedsalam Magomedov expounded such figures in his first message to National Assembly of the Republic of Dagestan on 29 June 2010: the regional gross product (RGO) of Dagestan is by 33 % less than that of the Stavropol Territory, while Dagestan has an equivalent size of population. In labour productivity, Dagestan is lagging behind the average Russian level by 2 to 3 times. *“We work worse and we live worse. And it is only the federal grants that prevent us from sensing this to the full extent”*. In this respect, the dependence on subsidies of Dagestan’s budget presently makes up 79 %. Being subsidised entails dependence, low efficiency of economy and social sphere (*Russian News Agency “Dagestan”, 29.06.2010*).

The revelry of the activity of insurgents exercises an in-system negative impact on all spheres of the public life of the Republic and retards economic development. Dagestan experiences great difficulties in attracting investments. In recent months, the Republic’s leadership repeatedly admitted that business in Dagestan is not only laid under a corruption tribute but also by exactions imposed by insurgents. The extremely unfavourable image of Dagestan impedes attracting money to the Republic and encouraging the development of business. According to Head of the Republic M.Magomedov, without exterminating terrorism it is impossible to improve the same. (*Russian News Agency “Dagestan”, 11.06.2010*).

A rampancy of violence in Dagestan

The negative image of Dagestan is being formed not only because of the high activity of the extremist underground, but also owing to the inadequately severe measures in the struggle against it, the application of non-selective and excessive violence by representatives by law enforcement bodies, the

arbitrariness and complete impunity of Dagestan security officials. And while this occurs, all efforts of authorities aimed at normalizing the situation remain but good intentions.

This summer, human rights activists and journalists recorded some appreciable growth of violence on the part of representatives of law enforcement bodies with regard to civilians in Dagestan: abductions, torture and beating of people, among them lawyers, dispersals of persons protesting against the militia's despotism, etc. It is obvious that the orgy of violence may be explained by the activation of efforts in the struggle against the extremist underground, which is yielding certain results. In this regard, innocent citizens (or, at least, people whose fault has not been proved in court) become more and more like "wood chips" in this forest where the trees are felled in a disorderly manner.

An all-Russia response was aroused by the story of the beating of the well-known lawyer **Sapiyat Magomedova** in the Republic, which occurred on **17 June** in the Khasavyurt Municipal Department of Internal Affairs. S.Magomedova represents the interests of **M.L.Yevtemirova**, a person under investigation who was detained on the same day, with flagrant infringements of the Code of Criminal Procedure. She was suspected of a robbery of **Osman Khatsiev**, an officer of the Separate Battalion of Patrol-Guard Service of the Militia Department of Internal Affairs in the town of Khasavyurt. M.L.Yevtemirova had an old unfriendly relationship with him. They kept seeing each other a few years ago, but when M.L.Yevtemirova married another man, O.Khatsiev began to chase her and demanded 440 thousand roubles which he spent while courting M.Yevtemirova, according to his statement (www.memo.ru/hr/hotpoints/caucas1/msg/2010/08/m216932.htm). The girl was detained when some wedding procession was passing through the entrance post of Khasavyurt, though her defence lawyer S.Magomedova made an agreement with the inspector to allow her to participate in a wedding of her relative. The aggrieved person also participated in the detention.

Immediately after M.L.Yevtemirova's detention, S. Magomedova arrived at the building of the Khasavyurt Municipal Department of Internal Affairs in order to meet with the Defendant, according to an agreement with Head of Investigating Department **R.U.Perichev**, However, she was beaten up by officers of Special Purpose Detachment of Militia near the building of the militia. Such an instruction, as S.Magomedova believes, was given by Inspector **Z.Stambulov** who was processing the case of her Defendant. Nevertheless, when the lawyer managed to fight her way to the office of Head of the Khasavyurt Municipal Department of Internal Affairs **Sh.Temirgireev** and advised him that she had already informed the mass media of the occurrence, she was turned out of the office. She was delivered to the Khasavyurt District Hospital in an unconscious condition (www.memo.ru/2010/06/21/2106102.htm; www.memo.ru/2010/06/25/2506103.htm, www.memo.ru/2010/06/28/2806101.html).

The College of Lawyers "Omarov and Partners" which includes Sapiyat Magomedova, is well-known for its uncomplimentary position in human rights protection. The lawyers undertake the most difficult cases connected with abductions, torture, extrajudicial executions of citizens of the Republic. S.Magomedova has lodged four complaints with the European Court, wherein her clients inform about the infringement of their rights by inspectors of the Khasavyurt Public Prosecutor's Office.

The information about the event was published in republican, federal and foreign mass-media. Some European politicians sent their inquiries to the leadership of Russia and promised to closely the course of the investigation of this case. On **22 June**, a separate telecast of the Programme "Justice" on the REN TV channel was devoted to the beating-up S.Magomedova, in which M.Yevtemirova also took part. President of the Republic of Dagestan M.Magomedov took this case under his personal control.

Some relevant agencies were entrusted with carrying out a careful and impartial investigation of the stated facts, based on the results of which they were to bring guilty persons to responsibility envisaged in the law (*Russian News Agency "Dagestan", 07.07.2010*). In summer, S.Magomedova was taking medical treatment in Moscow; now she is again in Khasavyurt.

Nevertheless, soon after the TV Programme "Justice" was broadcasted, the case of M.Yevtemirova was returned to Inspector Z.Stambulov. According to M.Yevtemirova's statement, Z.Stambulov threatened her, declaring that he would get her conviction at any cost and that "Moscow will not help her".

Two weeks later, on **2 July 2010**, Inspector **K.Mazaev** subjected Lawyer **Dzhamila Tagirova** to criminal insults and beat her up in his office in the building of the Soviet District Department of Internal Affairs. The aggrieved person represented the interests of **R.A.Magomedov** who was suspected under Article 160 (embezzlement) of the Criminal Code of the Russian Federation. After finishing the

interrogation, K.Mazaev began to insist that the suspected person should make an addition in the report, concerning the groundlessness of the objections of his lawyer regarding the fact that the inspector did not completely reflect the answers of the Complainant **Ismailov** in the protocol. He tried to snatch the sheet with remarks from the hands of D.Tagirova, but the latter refused to give the same to him. Then the inspector began punching her with his fist in her face and her body, flinging abuse at her. After that, he took R.Magomedov into custody, in contravention of some recently accepted amendments to the Criminal Code of the Russian Federation according to which [*the amendments*] such a measure of restraint as placing under arrest (No.60-FZ [FZ, federal law] dated 07.04.2010) cannot be chosen with respect to a person suspected of committing crimes under Article 160.

The operation of the amendment refers to entrepreneurs, and the Defendant D.Tagirov was the same (several episodes of appropriation of money from sale of shares were imputed to him). The Lawyer applied to Minister of Internal Affairs of the Republic of Dagestan, demanding that an inspection should be made regarding Inspector K.Mazaev (www.memo.ru/hr/hotpoints/caucas1/msg/2010/07/m211557.htm).

One needs to be reminded that shortly before these events, on **9 April 2010**, in the centre of Makhachkala Lawyer **Sergey Kvasov** was severely beaten up. S.Kvasov was delivered to the Central Republican Hospital with a fracture of a clavicle, a foot, an impacted fracture of the bones of the skull, an open brain injury, a brain contusion and an epidural hematoma. (www.memo.ru/hr/hotpoints/caucas1/msg/2010/04/m203157.htm).

In Dagestan, independent journalists are also subjected to threats and prosecution. On **14 July**, an application from **Nadira Isaeva**, Editor-in-Chief of the newspaper “*Chernovik*” [*draft copy*] was received at Memorial Human Rights Center. In her application, N.Isaeva expressed her concern over the threat to the safety of an employee of the edition, who was carrying out his own investigation of the case concerning the assumed elimination of four prospective insurgents by security officials. In Issue No.26 of the weekly publication “*Chernovik*” as of **9 July 2010**, in the article “*Zhivymi ne brat*” [*do not take them alive*] **Magomed Khanmagomedov**, Special Correspondent of the newspaper for Southern Dagestan narrated about a special operation organised by officers of law enforcement bodies. On **16 June**, four insurgents were eliminated in Derbent according to a version of Ministry of Internal Affairs. On the same day, the surnames of these insurgents were published: **Mais Sevzikhonov**, **Elrus Abdullaev**, **Farid Misriev** and **Zakir Magomedov**. All of them, as it was declared, were related to the murders of militiamen in Derbent on **13 and 16 June 2010**. However, it was soon found out that instead of two of the four insurgents, namely Ma’is Sevzihanov and Zakir Magomedov, announced by the Press Service of Ministry of Internal Affairs, two 22-year-old guys, **Rustam Samurkhanov** and **Rasim Dzhabraïlov**, turned out to have been killed. Zakir Magomedov was killed later, on **27 June**. The relatives of Rustam showed a video recorded by a cellular phone by law enforcement officers themselves immediately after the completion of the special operation. When listening to the recording, one may hear someone begging not to kill him, but after some shots the voice is interrupted. The journalist considers that there occurred an extrajudicial execution and that some come-and-go people found themselves bombarded; right after the murder these people were declared to be “the bearded men” (“*Chernovik*”, 09.07.2010).

On the next day after the publication of the newspaper, Head of the Criminal Investigation Office of the Derbentsky Municipal Department of Internal Affairs **Basir Akhmedov** rang him up and demanded some explanations in a rude manner. Then threatening phone calls started to arrive from various persons in view of the fact that Khanmagomedov was allegedly setting natives of Dagestan on to fight with one another.

Memorial Human Rights Center are expressing their utmost concern in connection with the threats addressed to the journalist of the independent edition in Dagestan. This Republic is becoming a dangerous place for civil activists and journalists. The beating-up of lawyers, threats to rights advocates and newsmen are assuming a systemic character (www.memo.ru/hr/hotpoints/caucas1/msg/2010/07/m212952.htm? chernovik.net/news/397/REPUBLIC/2010/07/09/10674)

One more fact of outrageous despotism on the part of militia officers became a widely spread high-profile event in the Republic and outside its limits. On **20 July 2010**, a 14-year-old inhabitant of the village *Khotoda* of the *Shamilsky Region*, **Makhmud Ahmedov**, who was suspected by militiamen of a theft of an electrical drill. During the whole night some militia officers were torturing the boy in the building of the Department of Internal Affairs of the village Hebda, the *Shamilsky District*, the Republic

of Dagestan. Only in the morning, when it was found out that Makhmud was a relative of Head of the District Road Traffic Safety Inspection, he was released without bringing a charge against him and expressing regrets. When the parents brought their son to the District Public Prosecutor on **21 July**, and the latter summoned the militiamen who had beaten up Makhmud, District Militia Officer **Magomed Magomedov** began to shout at the mother of the guy, **Ajshat Guseinova**, in the presence of the Public Prosecutor: “It just occurred to me to do so! I wanted and I beat him! Go and complain, wherever you want!”. Aishat tried to tell him that she would seek after justice and go as far as Moscow, but the District Militia Officer snapped back: I don’t care a damn, you may make complaints wherever you want! I won’t be punished”. After hearing these words, Gusejnova suffered an epileptic attack. She regained her conscience already in a hospital (www.memo.ru/hr/hotpoints/caucas1/msg/2010/07/m214251.htm).

Since **21 July**, Makhmud Ahmedov had been under treatment in the District Hospital. **On 22 July**, he was transferred to the Republican Hospital in Makhachkala.

On **30 July 2010**, a criminal case was initiated with respect to **Magomed Magomedovich Magomedov**, District Authorised Militia Officer of the Department of Internal Affairs of the Shamilsky District, on the basis of having committed a crime envisaged in Article 286 (excess of powers of office) of the Criminal Code of the Russian Federation. The Inspector failed to initiate any criminal with regard to two other officers who were beating up the boy. On **3 August 2010**, Senior Inspector of the Department of Internal Affairs of the Shamilsky District **R.K.Isaev** issued a decree concerning an abandonment of the initiation of the criminal case with respect to Makhmud Akhmedov on grounds of a crime envisaged in Article 158, Part. 2 (a theft) of the Criminal Code of the Russian Federation in view of the absence of the constituent elements of the crime. This case was reported to President of the Republic of Dagestan.

On **13 August 2010**, Makhmud Akhmedov was discharged from the Central Republican Hospital with a diagnosis: “a closed brain injury, a mild brain contusion, a contusion of soft tissues of the head and an injury of the right knee-joint, posttraumatic sensorineural obtusity of the ear” (www.memo.ru/hr/hotpoints/caucas1/msg/2010/08/m216948.htm.) As a result of the battery, he became deaf in one ear. Memorial Human Rights Center and the Committee “Civil Assistance” announced fund raising for the treatment of Makhmud and his disabled mother Aishat Guseinova, whose epileptic attacks became more frequent due to the stress suffered (www.memo.ru/2010/08/27/2708101.html).

In the end of August, the story of the beating-up of Makhmud Ahmedov took an unexpected turn. On **24 August**, his parents received a request to appear at the Magistrate Court of the Shamilsky District in connection with an application in regard to instituting of criminal proceedings against them according to Article 129, Part 2 (slander) of the Criminal Code of the Russian Federation, lodged by District Militia Officer M.Magomedov. According to multiple evidence, Magomedov detained the boy, infringing procedural legislation and he himself participated in the boy’s cruel beating. However, as it follows from Magomedov's application, he neither beat and nor even detained the teenager, while the parents of Makhmud, Aishat Guseinova and Khiramagomed Ahmedov maligned the militiamen (www.memo.ru/hr/hotpoints/caucas1/msg/2010/08/m216969.htm). However, a few days later, after some publicity of this story in mass media, Magistrate **Ramazanova** cancelled the resolution concerning the parents of Makhmud, which was passed by her on **24 August 2010** in view of some newly discovered facts, namely on the basis of a criminal case initiated by the Khunzakhsky Interregional Investigating Department affiliated to the Investigation Directorate of the Investigations Committee under the Procecutor’s Office of the Russian Federation Republic in the Republic of Dagestan with regard to M.Magomedov.

In summer 2010, the tendency towards the growing number of abductions committed by unknown officers of power structures continued. As a rule, young men used to go to business or for some other purposes and never came back any more. Most of them were being shadowed as it had been noticed before; some had been earlier summoned by the militia or detained. Thus, on **14 August**, a certain **Akhmed Abdullaev**, born in 1983, disappeared on his way from *Makhachkala* to *Buinaksk* (www.memo.ru/hr/hotpoints/caucas1/msg/2010/08/m216964.htm); on **17 August 2010**, **Renat Garachiev**, born in 1980, left his shoe repair shop in the town of Kaspiysk for his lunch and disappeared; on **19 August 2010**, **Revaz Kelasov** left his house in Makhachkala in order to see off his wife and did not come back; on **20 August**, **Abubakar Rizvanov**, born in 1984, Head of the company “Khuda-media” and

his colleague **Timur Kurbanmagomedov** disappeared in Makhachkala after they drove off from their office for some business (www.memo.ru/hr/hotpoints/caucas1/msg/2010/08/m216957.htm).

The members of Memorial Human Rights Center managed to clear up the destinies of most of the young men abducted in August. As of **5 October 2010**, out of the five abducted persons one man was released, one more remained on his trial, two more were presumably killed and the fate of one more remains to be unknown. Abubakar Rizvanov returned home after eight days after his arrest; he abstains from comments. Timur Kurbanmagomedov is on his trial (according to an official version, he returned with a confession on **27 August** to the Novolaksky District Department of Internal Affairs; he is suspected of aiding and abetting in the commission of arsons of some shops trading in alcoholic drinks). Renat Garachiev and Revaz Kelasov are presumably killed (as per an official version it was a self-blasting). Akhmed Abdullaev's destiny remains to be unknown. Some of the abducted persons, particularly R.Garachiev and R.Kelasov, professed Salafit Islam; R.Garachiev had a served sentence for keeping of weapons. According to applications of their relatives, they maintained an open way of life, they had their own families and were not involved in the extremist underground. The relatives of Garachiev and Kelasov who were searching for the missing persons, managed to find some officers of FSB who showed them some photos of two disfigured corpses, one of which was recognised by the wife of R.Kelasov as her husband. The father of R.Garachiev failed to identify his son in a photo. The relatives underwent a DNA test in order to use the same in identification. The circumstances of the death of the persons were not explained to the relatives, they were only told that there had occurred a self-blasting. The evolution of this story is proceeding, and the employees of Memorial Human Rights Center are closely watching it.

The relatives of the abducted persons regularly hold meetings, demanding to release their kindred or at least stop applying illegal methods of investigation to them, which as they assume are used in their case. So, on the morning of **9 June**, some dozens of women blocked Route E-119 in the area of the café “Chisty Prudy” (a turn of the road in the direction of Kizlyar). The relatives of **Akhmednabi Nazhmudinov** who was abducted on **31 May 2010** have gathered mainly (please see: www.memo.ru/2010/06/08/0806101.htm). As per some informal information, he may be kept in the Kizlyarsky District Department of Internal Affairs. The relatives of the other persons abducted in Dagestan came to support them, namely those of **Ramzan Magomedov**, born in 1983, an inhabitant of *the settlement named after Shaumyan* (he was abducted on **17 April 2009**), of **Pakhrudin Ahmedov**, born in 1982, of **Aliskhab Abakarov**, born in 1986, of **Mukhtar Isaev**, born in 1986, of **Shakhi Sheikhov**, born in 1991, inhabitants of the settlement of Krasny Voskhod (subsequently they were found out to be on their trial). In the afternoon, the meeting was dispersed by militia officers, with the application of bludgeons and other special means. Some part of men who were standing off the road were dragged in militia “UAZ” cars, and 15 persons were taken away to the Kizlyarsky District Department of Internal Affairs (www.memo.ru/2010/06/10/1006103.htm, www.memo.ru/2010/06/10/1006103.htm, www.memo.ru/hr/hotpoints/caucas1/msg/2010/06/m209029.htm).

On **5 August**, a meeting was held in the central square of *the village of Botlikh* in behalf of **Shamsula Ahmedudinovich Borziev** and **Abdulmazhid Abdulmanapovich Manapov** accused of the murder of **A.Magomedtagirov**, Minister of Internal Affairs of the Republic Dagestan, on **5 June 2009**, as well as against flagrant violations of human rights in the Republic. 400 persons, among them representatives of republican mass-media and representatives of public organisations, took part in the protest action. Lawyers **A.S.Omarov** and **Kh.Sh.Aligadzhieva** addressed the meeting, who declared that according to their belief, their defendants were being kept in custody unlawfully, and torture was applied to them. The defendant A.Manapov had been long hidden from the lawyer in order to hide the traces of the torture. It is curious that what even the relatives of the killed Minister consider that they arrested wrong people. The lawyers ascertained that A.Rezanov, suspected of the direct execution of the murder was at his home in the city of Penza on the day of the commission of the crime.

Several relatives of the people, killed in the course of special operations in their houses and declared to be militants, also addressed the meeting (www.memo.ru/hr/hotpoints/caucas1/msg/2010/08/m216947.htm), please also see: (www.memo.ru/2010/08/04/0408101.htm), www.memo.ru/2010/08/13/1308105.htm).

“A phobia of shahids” in Dagestan

On **12 July**, representatives of law enforcement agencies declared that some underground network of women shahids ready to commit acts of terrorism on the territory of Central Russia had been disclosed in Dagestan. It was reported that 12 persons, among them 10 young women, living in two addresses, had been detained in Makhachkala. In this regard, five girls and two young men were detained for 30 days, whereas the others, including a 12-year-old girl, were released after a check-up (“*Novoye Delo*”, 16.07.2010, <http://skfonews.ru/news/1044>). It was also noted that “while detaining the gang, two Makarov guns were withdrawn, including one with a muffler, two shahid's belts, a considerable quantity of wigs and make-ups, some religious literature relating to Jihad, as well as some notebooks containing the numbers of cars of law enforcement officers. Four of the detained women were widows of insurgents which were previously killed. All of them were preparing for their “final journey” in the near future (<http://www.rg.ru/2010/07/21/terror.html>). As the portal of the newspaper “Komsomolskaya Pravda” informed, each of the women die-hards had so-called “a farewell letter” on her (www.kp.ru/online/news/700815/). According to a report of “Rossiyskaya Gazeta”, all the women shahids gave their confessing evidence (www.rg.ru/2010/07/21/terror.html).

The workers of Memorial managed to find out the circumstances of the detention. On **10 July**, 11 persons were detained at different times in Makhachkala: 9 women and 2 men. 4 women were really widows of killed insurgents, and law enforcement agencies kept them under close observation. **Aishat Makasharipova, Sakinat Saidova, Zagra Magomedova** and **Fatima Radzhabova** were taken away from Fatima Radzhabova’s house located in Gromova Street in Makhachkala. As explained by the arrested persons, it was very hot on that day, therefore Aishat and Sakinat came to Fatima to bath their children in the pool. Zagra sews some clothes and delivers it to Fatima’s shop. She came in order to hand over some executed orders and stayed to chat with the women. Sakinat came to see Fatima Radzhabova along with her one-and-a-half-year-old son Salikh. At this time, there was also 12-year-old Batrizhat Abdulaeva in the courtyard too. Probably, someone of the neighbours reported that a group of women dressed in Muslim clothes had gathered in the house of Radzhabova.

Around 13:30, some militia officers came to the house, and one of them presented himself as **Akhmed**, Deputy Head of the Kirovsky District Department of Internal Affairs. Then the militiamen arrested all the women and children.

The relatives of the arrested persons rode to the Kirovsky District Department of Internal Affairs, asking to let their children out, however the employees of the Department declared that there were neither women, nor children with them. The mother of Sakinat Saidova phoned **Gyulnara Rustamova**, Chairman of the Regional Public Organisation “Legal Protection”. Gyulnara invited Lawyer **Dibira Nabieva** and asked **Gasan Aigunov**, a member of the Supervisory Commission for Institutions of Confinement, to come. G. Aigunov inspected a logbook for registering detained and delivered persons: no women and children were indicated on the list. He did not find them in the cells either. No lawyer was allowed to see the arrested persons.

Around 22:30, a man wearing civilian clothes carried out underage Salikh Saidov in his arms.

Next day, at 8:30, the relatives of the detained persons again gathered near the the Kirovsky District Department of Internal Affairs, but nobody was allowed to the premises of the District Department of Internal Affairs, even the lawyer, despite a warrant available with him. The lawyer made his way to the Public Prosecutor’s Office where he lodged a complaint to Public Prosecutor on duty Khalitov. Khalitov sent Assistant of Public Prosecutor of the Kirovsky District to the Kirovsky District Department of Internal Affairs. He arrived there after half an hour, went inside, and then, after leaving the building, reported that there were no searched-for women among the detained persons. Shortly after Assistant of Public Prosecutor left, Z. Magomedova’s consort contacted her over a cellular telephone, and she informed him that she was in the Office 17 in the Building of the Criminal Investigation Department of the Kirovsky District Department of Internal Affairs. The Lawyer again got in touch with Assistant of Public Prosecutor, but the latter told him that when he was in the Building of the Department of Internal Affairs, he checked all the offices, and they were closed.

Around 16:30, the underage Batrizhat was released from the building of the Kirovsky District Department of Internal Affairs, who took out two packages with personal belongings of the detained

women. The girl explained that she had been detained together with the others, but she felt nohow, and they let her. Batrizhat suffers from a mental disease, and her stay in the Kirovsky District Department of Internal Affairs without her parents for more than one day had a serious traumatising effect on her.

On 11 July, all these women were released under the guarantee of Chairman of the Regional Public Organisation “Legal Protection” Gyulnara Rustamova. No accusations were presented to them. **Zaira Akaeva, Zalina Akaeva, Zaira Alieva, Marat Shikhshaidova** were detained in the street. Some weapons were found in Zaira Akaeva’s house. According to Z.Akaeva, they were left by her husband. Z.Akaeva asserted that she had put the weapons in a bag and that she had earlier wished to hand them over to the militia, but she was frightened that she should be accused of illegal arms traffic. **Madina Gadzhieva** heard that her girlfriends Zaira Akaeva and Zalina Akaeva had been taken away to the militia. She went to their house in order to learn about the circumstances. And she was detained there. All the arrested persons of this group, except for Zaira Akaeva and Marat Shikhshaidov, were subsequently released too.

The latter persons were accused under Article 222, Part 1 (illegal acquisition, transfer, sale, storage and transportation of weapons, ammunition, explosive materials and explosive devices) of the Criminal Code of the Russian Federation.

Thus, the information that a group of “women shahids” was detained in Dagestan did not represent the facts, otherwise most of the arrested persons would not have been liberated so soon. It is necessary to note that the name of the Kirovsky District Department of Internal Affairs appears frequently enough in messages of human rights organisations as a place where they use violence with respect to arrested persons and do not let lawyers in for several days.

“The hunting for women shahids” begun after the terrorist acts of in Moscow, and the nonselective actions of security officials roused some publications in mass media.

On 9 April, an article under the title “*1000 widows and sisters of Dagestan insurgents have become abettors of terrorists*” in the newspaper “*Komsomolskaya Pravda*”. The article said about **Maryam Sharipova**, one of the women terrorists who had blasted themselves in the Moscow underground. Also shown were some photos of twenty two women “*pertaining to a high-risk group*”, that is representing, according to the authors of article, potential women shahids (www.kp.ru/photo/gallery/22805/ CLEAN). Each photo was provided with some brief information regarding what relation, according to the edition, a woman had with the armed underground. According to these reference data, most of women were wives of operating or killed insurgents. The article also presented the Organisation “Mothers of Dagestan” in a sleazy appearance, and displayed a photo of one of the founders of the Organisation, Gyulnara Rustamova, whose relation to the underground was explained as follows: “*She is a seamstress by her trade, she periodically takes orders to her home for tailoring Muslim ladies’ clothes*”.

The publication in “*Komsomolskaya Pravda*” caused a storm of indignation among human rights activists and journalists in Dagestan. The overwhelming majority of women whose photos were printed in the newspaper live openly, they are not searched for, and no criminal proceeding with regard to them had ever been instituted. According to human rights activists, similar publications not only flagrantly violate the principle of presumption of innocence, but also invite some serious danger to the safety to the women and their families.

Several women on the list lodged their applications to Memorial Human Rights Center. They informed that after the publication they noticed that they were being openly shadowed.

On 16 April, in an interview to the Dagestan weekly magazine “Chernovik”, **Elmina Bakkueva**, a mother of two disabled children (one is hard of hearing and the other is an asthmatic), explained that every year she had to carry her children to Moscow for medical investigation and treatment. But after the publication in “*Komsomolskaya Pravda*” she does not know what to do (www.chernovik.net/print.php?new=10283).

On 30 May, Elmina Bakkueva carried both the children for a planned inspection and treatment to Moscow. Some people dressed in civilian clothes were waiting for her in the Kazansky railway station. They surrounded the railway car and did not allowed Bakkueva to leave. In the car, they interrogated her about the purposes of her arrival in Moscow. They behaved correctly, but asked her to write an explanatory note and then released her.

E.Bakkueva was to be in Moscow till 18 June, where her children were undergoing medical treatment at the Moscow Institute for Children's Pediatrics and Surgery and at the Centre of Audiology and Hearing Aid, but she left earlier being afraid of provocations on the part of law enforcement officers.

On **18 June**, two more women whose photos were displayed in "*Komsomolskaya Pravda*", G.Rustamova and S.Yusupova, applied to the Municipal Department of Internal Affairs in the city of Moscow, requesting to initiate a criminal case with respect to the authors of the article for the dissemination of slanderous facts about them.

G.Rustamova indicates in her application that the newspaper "*Komsomolskaya Pravda*" had placed her photo under which the authors specified her name, birthplace, speciality and also informed that she was busy tailoring Muslim ladies' clothes. G.Rustamova considered the article's heading to be offensive and discrediting in relation to her in the opinion of the public because she was no accessory of the terrorists. In September 2010, Gyulnara was to be operated in Saint-Petersburg, however because of the release of the given publication she was afraid to go to Petersburg. Besides, she was afraid to move around the city. According to G.Rustamova, after the publication her son faced some problems in intercourse among children of his age, and several times teenagers initiated fights with him and insulted his mother.

S.Yusupova explained that the article published her photo under which her personal data and her birthplace were indicated. The article stated that she was the wife of E.Navruzov although their marriage had been dissolved two years ago. After the release of the publication, she was dismissed from her office, and her son was beaten up by some unknown persons, her relatives stopped to communicate with her. Moreover, some unknown people were spying on her. Everything that was stated in this article regarding her was considered by Yusupova as slander, and she thought the title of the article to be offensive as she was no accomplice of the terrorists. In September, her children are go to school, but she is afraid to let them there, whereas her daughter even has a dread of dropping in at the next-door shop.

The journalist of "*Komsomolskaya Pravda*" A.Kots who was interrogated in the course of the inquiry explained that after he returned from his business trip to Dagestan during which he was preparing some material about the women die-hards who blasted themselves on **29 March** in Moscow, he received some information concerning certain texts and photographic materials about women living in Dagestan, who were under the supervision of law enforcement bodies. These materials were sent to his e-mail address by one of special services. In this letter, some personal data of these women and their brief curriculum vitae were indicated. Following the results of a meeting, the editorial staff decided to publish the list without presenting the personal data. The purpose of the article, according to the author, consisted in "*informing general public and drawing the attention of law enforcement bodies of the Republic of Dagestan to persons who may probably commit terrorist acts in Moscow or other cities of Russia in the future*".

On **25 June**, a letter regarding the carrying-out of a linguistic research of A.Kots and D.Steshin's article was sent to the Advisory and Criminalistic Centre of the Municipal Department of Internal Affairs of the city of Moscow.

On **28 June**, Investigator of the Directorate of the Organisation for Inquiry affiliated to the Municipal Department of Internal Affairs of the city of Moscow **A.V.Timofeeva**, without waiting for an expert conclusion, came to a conclusion that there was no essential constituent element of a crime in the actions of A.Kots and D.Steshin, envisaged in Article 129 of the Criminal Code of the Russian Federation; that is to say there was no actual knowledge by which the person's exact cognizance of falseness of facts is understood. On the basis of the materials of the inspection, the initiation of the criminal case was dismissed.

On **12 July**, Assistant of Public Prosecutor of Moscow A.V.Kozlov cancelled the decision regarding the dismissal of the initiation of the criminal case as premature; the materials were returned for an additional inspection, with some instructions on determining the source of the information, which served as a basis for the publication of the article, on interrogating the applicants and obtaining the results of the linguistic research.

On **16 July**, a certificate of the linguistic research was issued, according to which "*there are neither statements containing a negative evaluation of G.Rustamova and S.Yusupova in person, nor declarations with lexical content relating to the semantic field "crime" either, nor the performative verb "to accuse" in any grammatical forms, nor words derivative from it, nor the verbal structure "heinous*

or especially grave crimes” in the presented materials”. The expert came to a conclusion that it was not possible to determine, whether the text of the publication contained any accusation of G.Rustamova and S.Yusupova of committing some heinous and especially grave crime.

On **5 August**, the Directorate of the Organisation for Inquiry affiliated to the Municipal Department of Internal Affairs in the city of Moscow once again refused the initiation of a criminal case to G.Rustamova and S.Yusupova.

After the terrorist acts in Moscow, “the phobia of shahids” is progressing not only among law enforcement bodies and mass media, but also among the parents of young people who are fascinated by Islam. After the publication in “*Komsomolskaya Pravda*”, an application of **Elvira Dzharulakhovna Mizakhova**, an inhabitant of the city of *Derbent* came to Memorial. The girl wrote the following in her application: “*Because of a quarrel with my father, I was compelled to leave the house of my parents and live separately in a rented flat. In connection with the latest publication of the photos of “the women pertaining to the group of risk” in the newspaper “Komsomolskaya Pravda”, my father is threatening me that he will apply to FSB and tell them that I am being zombified and that I may take such a step as to blow myself up. He does this for me to come back to the parental house. I am an adult person, I am 28 years old, I have a right to live where I consider it necessary to. I ask you to protect my rights”*”.

Public Prosecutor of the Republic of Ingushetia U.Turygin: “No facts of unlawful arrests have been recorded”

On **9 July 2010**, during one of regular meetings of President of Ingushetia with relatives of people suspected of connections with insurgents, Public Prosecutor of Ingushetia Yu.Turygin stated that “no facts of unlawful detention or unlawful actions committed by representatives of security agencies on the territory of Ingushetia have been recorded by his agency (www.memo.ru/hr/hotpoints/caucas1/msg/2010/07/m212951.htm). Later on, on **30 July**, the same statement was also made by President of the Republic U.-B.Yevkurov at an enlarged meeting of the Board the Prosecutor’s Office of the Ingush Republic: “*In 2010, there were no cases of abductions in the Republic*”, he said. (*The website “The Republic of Ingushetia”, 30.07.2010*)

Memorial HRC possess some directly opposite information regarding the facts of abductions, torture and general violations of procedural legislation during house-checks, examinations and detentions. President of Ingushetia Yunus-Bek Yevkurov still believes that security agencies do not arrest anybody without a reasonable basis and that there should always be some operative information which could serve as a reason for detention. (www.memo.ru/hr/hotpoints/caucas1/msg/2010/07/m212951.htm).

Probably, this can be true but it does not mean that representatives of law enforcement agencies have the right to offhandedly and openly violate legislative regulation during detention and investigatory actions with regard to suspected persons. Below one may find a list of examples, far from being absolutely full, which demonstrates that the struggle for orderliness in the ranks of law enforcement agencies launched at the beginning of Y.-B.Yevkurov’s presidential term is obviously fading out. Only due to the personal interference of President of Ingushetia, as well as owing to insistent requests of human rights activists in every specific case it became possible to prevent impunity. Without such interference, arbitrariness and impunity of law enforcement structures are becoming rife and rampant. President’s irritated remarks with regard to human rights advocates which he had never allowed himself to use before signify a disturbing sign that Ingush President is getting nervous and tired of the impossibility to change anything. In his interview to the newspaper “*Zavtra*” [*Tomorrow*] as of **23 June 2010**, Yevkurov stated particularly that some human rights activists intentionally dramatise the picture in describing special enforcement operations presenting them as a normal procedure, whereas in fact they are merely “*individual cases of such a kind*”. It was also hinted that human rights activists work off money received from western funds and intentionally malign law enforcement agencies. At the same time, Yevkurov has not yet refused to cooperate with human rights advocates yet. Meetings with them are taking place regularly, although rarely than it was before.

Though the Republican authorities in general still ready for constructive cooperation with human rights activists on a local level law enforcement officers often hamper their activity. In such a way **on 10 June**, in the city Malgobek, members of the Public Supervising Committee for Control of Protection of Human Rights in Places of Forced Imprisonment in the Ingush Republic **Magomed Mutzolgov** and **Tamirlan Akiev** were not allowed to visit a local detention center where they planned to check the imprisonment conditions of arrested people. Human Rights Commissioner of the Ingush Republic Dzambulat Ozdov was not allowed to the detention pre-trial centre either (www.memo.ru/2010/06/10/1006102.htm, www.memo.ru/hr/hotpoints/caucas1/msg/2010/06/m209031.htm).

Law enforcement agencies in Ingushetia work carelessly without putting too much attention to the choice of a scenario that should be presented to the public in order to explain the reason of every other special military operation. Cut and dried descriptions of such operations often turn to be a mutually exclusive. An Internet publication of “Ingushetia.Org” gives an example when according to the version of Ministry of Internal Affairs of the Ingush Republic **Ilez Gardanov** declared to be a leader of Ingush insurgents and killed on 23 August, was annihilated when he was blocked in a dwelling house while the version of states is that he was killed when driving away in a car. The question comes as how this absurdity can be substantiated? As the web resource reasonably notes: “*It is hard to confuse a rushing along car and a house*”. And this is not a single fact. On **May 5**, the brother of Ilez, Magomed was killed. Then it was reported that he had been killed in a mosque while showing resistance and due to his action two girls (one girl died) and a teenager were injured. (*RIA Novosti*, 05.05.2010). But on **6 May** “*Rossiyskaya Gazeta*” reported that Gardanov at that moment was in a car with a suicide bomber’s belt and showed resistance. Two women accomplices were reported to accompany him, whose task was to organize a terrorist act on a Victory Day anniversary. Apparently, these were the two girls mentioned in the first version (“*Rossiyskaya Gazeta*”, 6.5.2010; “*Ingushetia.Org*” 31.8.2010); (the information prepared by Memorial HRC about the killing of I. Gardanov please see in www.memo.ru/hr/hotpoints/caucas1/msg/2010/08/m216966.htm, the information about the killing of M.Gardanov: <http://www.memo.ru/hr/hotpoints/caucas1/msg/2010/05/m205879.htm>)

It is necessary to note that not all militiamen can accept their involvement in unlawful actions. In **the beginning of August 2010**, Ingush media released some information that all the staff of the Karabulak Internal Affairs Local Section went to rally in Nazran with a request addressed to Minister of Internal Affairs **Victor Pogolovov** to dismiss from office Head of Local Militia Precinct **Nazir Guliev** who forced his subordinates to participate in abductions, torture and killing of people and other illegal actions. It was also reported that the lawlessness of Guliev towards his subordinates manifested in disrespectful behavior and ‘tribute’ which were ‘laid’ on officers. (*Angushed.com*, 13.08.2010, *Ingushetia.Org*, 17.9.2010). As the web resource “Ingushetia.Org” wrote: “*At the moment, all the personnel have left the building of Karabulak Local Militia Precinct and there are no people remained on the territory of the Precinct and in its offices*”.

On August 13, Minister of Internal Affairs of Ingushetia V.Pogolov dismissed N.Guliev from the position of Head of the Karabulak Local Militia Precinct. On **10 September**, it came out that Guliev was fired. However, after a week, on **17 September**, Guliev and his deputy (who was fired as well) **Ilez Nalgiev** accompanied by more than dozen of their supporters burst into the building of the Precinct and made an effort to return to the office by force. Then there happened a fight in which the former Head was defeated and according to other sources Guliev and Nalgiev “*were beaten to a frazzle*”. Some of Guliev’s supporters got into jail for a pre-charge detention (*Ingushetia.Org*, 17.09.2010). The position of the Republic’s authorities on this issue was not announced to the public. It is well known in Ingushetia that N.Guliev is a close relative of Uvais Yevkurov, Head of Security Division of Ingush President. During a forced attempt of returning back to his office he shouted that he reported directly to President of Ingushetia. The same thing he had been declaring previously. A postscript to this story that supplements this outstanding situation is that according to the Ingush media the defeated party, i.e. officer Guliev, a Porshe Cayenne was confiscated, as well as two cars belonging to his “*personal security*” and “*a great number of weapons*” (*Angosh.com*, 17.09.2010).

Down below are given several examples of special military operations which arose protest among local people and militia officers.

On 8 June, at 5:30 in 11, Malgobekskaya Street, in *the village of Sagopshy of the Malgobek District*, were arrested the brothers Tzechoevs: Beslan (born in 1984) and Adam (born in 1986). Without introducing themselves and without showing any identification documents law-enforcement officers carried an unauthorized house check which lasted around 40 minutes. According to the words of the parents, they had planted a hand grenade and a package with an unknown substance.

The parents came to the militia precinct where their sons were taken. In the evening, on 8 **June**, an ambulance car came to this place twice. In compliance with the information got by Tzechoevs during interrogations Adam and Beslan were severely beaten and tortured. They knew about these facts from doctors who came on call. Lately the family lawyer **B.B.Tochiev** made a request to a local emergency station and received the answer under the signature of acting head doctor stating that: “On 8 **June 2010**, at 20:35, an emergency team came to the Malgobek Local Militia Precinct for rendering urgent medical assistance to Tzechoev Beslan (born in 1984). The patient was given a diagnosis: a closed craniocerebral injury, a brain contusion and an injury of the lumbar of the [thoracic spine](#)”.

The lawyer was not allowed inside the Precinct for several days. Requests to Prosecutor’s office gained no results. In the local Prosecutor’s office the application from parent was not even accepted (www.memo.ru/2010/06/10/1006102.htm). On 14 **June**, Human Rights Commissioner of the Ingush Republic **Dzambulak Ozdov** was admitted to the detained brothers Tzechoevs who were the pre-trial detention centre of the Malgobek Local Militia Precinct. He could talk to them and made some photos. This became possible only after a personal interference in the situation of the President of Ingushetia Yunus-Bek Yevkurov. He requested a steadfast implementation of laws and observance of rights of detained people. On 15 **June**, the lawyer was allowed to visit the detainees. By this moment, the tortures and beating toward the brothers Tzechoevs had been suspended (they were most intensive immediately after the detention) but there were still remaining signs of injury on B.Tzechoev’s body.

On 17 **June**, the period of administrative arrest (which is 10 days for non-obedience to militia representatives) of brothers Tzechoevs has expired. On 18 **June**, at 14:00, Adam Tzechoev was released and his brother Beslan Tzechoev was charged of committing a crime according to Article 222 of the Criminal Code of the Russian Federation (keeping of weapons and ammunition) (*please see: www.memo.ru/2010/06/18/1806102.htm*).

On 18 June, a certain Zukhra Chitigova, a refugee from the Chechn Republic, who lives with her family in a refugee camp “Ptomzhilbaza” in *the town of Karabulak*, lodge a repeated written application with the Representative Office of Memorial Human Rights Centre in *the city of Nazran*.

On 27 **April 2010**, her son **Zelimkhan Chitigov**, (born in 1989), was abducted by some officers of the republican militia. The relatives knew nothing about his whereabouts for several days. On 1 **May**, the Investigator from the Inquiry Department of the Public Security Militia of the Karabulaksky Department of Internal Affairs applied to the Court of the town of Karabulak in regard to selecting a measure of restraint concerning Chitigov. Only then his kindred got to know that a charge had been brought against Zelimkhan under Article 222, Part 1 (keeping and sale of weapons and ammunition) of the Criminal Code of the Russian Federation. Officially, according to the petition of the Investigator, Zelimkhan was detained as an alleged criminal on 30 **April**, at 20:00, i.e. more than two days after the abduction.

In the court, Zelimkhan felt shaky and he was taken to hospital in an ambulance car accompanied by an escort. In a conversation with a lawyer, Zelimkhan said that some militia officers beat and tortured him. The lawyer lodged a petition for carrying out a medicolegal investigation, however his application was not granted.

When Zelimkhan was in the Karabulaksky Department of Internal Affairs, they tried to make him waive a counsel. Lawyer M.I.Esmurzieva was also offered to abandon this case. On 28 **May**, in the court, the lawyer tried to change the measure of restraint for Zelimkhan from custody to recognizance not to leave. Chitigov was brought to the court in a wheelchair as he could not go. In the court, Zelimkhan lay. The lawyer’s arguments referring to Z.Chitigov’s state of health took no effect on the court, and he was left under arrest.

Zelimkhan Chitigov’s diagnosis was made as follows: an electrical injury with a sign of myalgia, a closed brain injury, ataxic aphasia, a trauma of the thoracic and lumbar spines, a contusion of the spinal cord, paresis of lower limbs and a malfunction of the pelvic organs with incontinence, an acute psychogenic post-stress abnormality with a marked generalised alarm sign. Also, they recorded that Zelimkhan had a contusion of the kidneys, acute purulent otitis media, multiple injuries of the body and

thermal injuries of both the feet. He could neither walk independently nor speak normally (www.memo.ru/2010/06/21/2106101.htm).

In the end of June, Zelimkhan Chitigov was released under recognizance not to leave. As of **6 September 2010**, the criminal case against him was terminated. At the same time, as was already mentioned above, on **18 June** the Office of the Public Prosecutor of the town of Karabulak initiated a criminal case against the unknown officers of the Ministry of Internal Affairs who beat Chitigov up. Presently, the parents have brought Zelimkhan to the Chechen Republic where he is undertaking a course of medical and psychological rehabilitation. His case is being processed by the Lawyer of Memorial Magomed Gagiev.

On the night of **26 June**, around midnight, some unknown people attacked the VAZ-21099 car by fire on the highway "Kavkaz" [*the Caucasus*] at the outskirts of *the village of Yandar of the Nazranovsky District*. Two inhabitants of Nazran, namely **Bagaudin Uzhahov**, born in 1974, and **Magomed Yandiev**, born 1976, were riding in the car. B.Uzhahov died from the wounds given. M.Yandiev was placed in the Intensive Care Branch of the Central Clinical Hospital of the city of Nazran in a grave condition. Based on this fact, a criminal case was initiated.

Earlier, Magomed Yandiev applied to human rights organisations including Memorial Human Rights Center, requesting to protect his rights. M.Yandiev and some more inhabitants of Nazran applied to Memorial for the first time when they complained about the warrantless arrest and the penalty for administrative violation. They were detained on **14 October 2008**. The two arrested persons were beaten. They were kept in custody in the course of two days. They were accused of having allegedly furnished resistance to the militia officers during their detention. On **16 October 2008**, in Judicial Branch No. 9 of the Nazranovsky District Court, the Magistrate B.Y.Toldiev found them to be guilty and inflicted an administrative penalty (www.memo.ru/hr/hotpoints/caucas1/msg/2008/10/m152918.htm).

Next time, M.Yandiev applied to Memorial Human Rights Center in **November 2009**. This time he complained about frequent searches which officers of federal power structures performed in his flat. M.Yandiev did not know why they searched in his house (www.memo.ru/hr/hotpoints/caucas1/msg/2009/11/m187359.htm).

On **25 June 2010**, Magomed Yandiev was arrested by some militiamen and interrogated regarding his probable involvement in the activity of illegal armed groups. After the interrogation he was released.

On **5 August**, around 5:30 in *the village of Surkhakhi of the Nazranovsky District*, three local residents, namely **Ibragim Tochiev**, born in 1985, his cousin Zelimkhan Bashirovich Mutsolgov, born in 1983, and **Ilez Aushev** were abducted by officers of some unascertained power structures.

On that very day, the mother of Ibragim, **Tanzilla Tochieva**, lodged a written application with the Representative Office of Memorial Human Rights Center in Nazran and with other human rights organisations. She informed that early in the morning not less than 50 officers of power structures, wearing masks, rushed into her house after knocking out the entrance door. They did not introduce themselves and showed no documents. They seized Tochiev and Mutsolgov by force, striking the latter on the head. They covered the faces of the brothers with packages, dragged them out of the house and then took them away in an unknown direction. Approximately at the same time, Ilez Aushev was abducted in the village in a similar manner. Later on, it was found out that he had been kept in the Nazranovsky District Department of Internal Affairs separately from Z.Mutsolgov and I.Tochiev and was released on **6 August**.

Earlier, on **6 July 2010**, Zelimkhan Mutsolgov applied to Memorial Human Rights Center, complaining about the despotism of the officers of power structures who had chased him for the last two years, suspecting him of an involvement in the activity of illegal armed groups.

On **7 August**, the relatives of the abducted persons arrived in *the city of Magas* and began to stand near the building of Republican Government, hoping that someone of the officials would accept them. Secretary of the Security Council of the Ingush Republic **Bekhan Atigov** came out to receive them. He led the relatives to his office and promised to render his assistance in the search. He left the office for a while, then he returned and said, referring to the words of Chairman of Government of the Ingush Republic **Alexei Vorobyov** that Z.Mutsolgov, I.Tochiev and I.Aushev were in the Republic and that they were alive and healthy. The relatives were even brought to the building of the Investigation Committee where the young men were to be kept. However, it turned out that nobody was there: it was a day-off.

On **9 August**, on Monday, B.Atigov announced to the relatives who had again gathered near the Governmental Complex that Z.Mutsolgov, I.Aushev and I.Tochiev had been convoyed to the Pre-Trial Detention Centre of Pyatigorsk. He also said that the arrested persons were giving confessing evidence.

On **10 August**, in first half of the day, some unknown people threw Zelimkhan Mutsolgov out, in a state of insensibility, at the outskirts of *the stanitsa of Nesterovskaya of the Sunzhensky Region of the Ingush Republic*, on the bank of *the river Assa*. He was severely beaten up. Presently, Zelimkhan Mutsolgov is at home. On **11 August**, Tanzilla Mutsolgovva phoned Secretary of the Security Council B.Atigov in order to find out the fate of her son Ibragim Tochiev. B.Atigov advised her to call the Department of Internal Affairs of the Nazranovsky District, having assured the woman that her son was alive. In the Department of Internal Affairs, Tanzilla Mutsolgovva was told that during the daytime Ibragim Tochiev would be really delivered to them. From where and by whom he was to be delivered, the militia officers did not specify. On the evening of the same day, Tochiev was really delivered to the Department of Internal Affairs. His mother saw him. As explained by her, Ibragim had been brutally beaten. They brought a charge against him, accusing him of an involvement in the activity of illegal armed groups (www.memo.ru/hr/hotpoints/caucas1/msg/2010/08/m216935.htm).

New cases related to the Northern Caucasus under consideration in the European Court of Human Rights

In the summer 2010, the European Court of Human Rights (ECHR) adopted 8 decisions on cases concerning the infringement of human rights in the North Caucasus. In all the cases, the applicants were inhabitants of the Chechen Republic.

In the case “Zh.Ilyasova versus Russia”, the interests of the Applicant were represented by lawyers of Memorial Human Rights Center and by those the European Human Rights Advocacy Centre (EHRAC, London).

Grievances of **44** applicants were altogether remedied last summer, to whom **1 198 000 euros** was awarded for a moral damage and **100 975 euros** for a material loss. Besides, the Russian Federation should compensate **34 711 euros** for litigation expenditures.

Zh.Ilyasova versus Russia (the decision was made on 10 June 2010)

The Applicant, Ilyasova Zhugurkhan Alaudinovna, lives in *the village of Katyr-Yurt* of the Chechen Republic.

Early on the morning of **12 November 2002**, her children, namely **Ilyasov Magomed-Saleh**, born in 1979, and **Magomed-Ali**, born in 1981, were detained by officers of federal power structures who broke into their house. The security officials did not show any documents proving their identity, they behaved rudely and aggressively and threatened the Applicant and members of her family. The two brothers were taken out and driven away in an unknown direction. Two to three days after the detention, the Applicant managed to learn that her sons were at the Achkhoy-Martanovsky District Department of Internal Affairs. When she came there in order to pass some clothes and meal to them, the officers of the District Department of Internal Affairs ПОВД did not accept parcel, telling that Magomed-Ali and Magomed-Salekh was not with them.

Some repeated attempts to find her sons yielded no results. An the criminal case of the abduction of the sons of the Applicant were repeatedly terminated, renewed and transferred to different authorities. It became clear to the Applicant that the investigation carried out by the Russian authorities was inefficient and would not lead to establishing the truth.

In **2006**, the Applicant applied to the European Court. The court ascertained that a material violation of Article 2 of the European Convention on Human Rights occurred with respect to Magomed-Ali and Magomed-Salekh (i.e. the Court recognised that the authorities of the Russian Federation were

accessorial to the disappearance of Magomed-Ali and Magomed-Saleha), as well as of Article 5 (the right with regard to the Applicant (prohibition of torture, inhuman and humiliating treatment) in connection with her moral sufferings. Moreover, the Court pointed out to the fact that Article 13 (the right to an effective means of protection) in common with Article 2 was infringed.

The court awarded a just compensation to pay to the Applicant: **120 000 euros** for a moral damage and **1061 euros** as a compensation of the litigation expenses (www.memo.ru/hr/hotpoints/caucas1/msg/2010/06/m209030.htm).

The Alapaevs versus Russia (the decision was made on June, 3rd, 2010)

The Applicants are two inhabitants of *the Sunzhensky District of the Chechen Republic*. Around 3:00 in the morning, **on 27 December 2004**, a group of armed people, numbering up to 20 persons, dressed in camouflaged uniforms, burst into the house of **the Alapaevs** in *the town of Sernovodsk of the Chechen Republic*. The servicemen beat up Salambek Alapaev and his aged father. 15 minutes later, they dragged Salambek out of the house, made him sit in one of the cars and drove him away. Since then, he had been missing. Attempts to find him were not successful.

The European Court of Human Rights ascertained an infringement by the Russian Federation of Articles 2, 3, 5 and 13 of the European Convention on Human Rights Protection and Basic Freedoms, namely the abduction of a relative of the Applicants, the absence of an effective investigation of this crime and the lack of means of legal protection.

60 000 euros was awarded for a moral damage, **11 000 euros** for a material damage and **5 000 euros** for litigation expenses.

Vakaeva and others versus Russia (the decision was made on 10 June 2010)

The Applicants are 4 inhabitants of the Chechen Republic.

On **5 March 2001**, at 12:45, two armored troop-carriers and some military cars drove up the house of the Vakaevykh in *the village of Duba-Yurt of the Chechen Republic*. About 30 armed people left their cars and opened fire. **Shamil Vakaev** and a woman next door were wounded. Then the armed people who burst into the house seized **Salmabek Tataev, Ramzan Dudaev, Yunus Abdurzakov, Shamil Vakaev** and **Shamkhan Vakaev** who were inside. They were battered, put in the military vehicles and taken away in an unknown direction. Since then, nobody had seen them. The investigation of the case of the abductions yielded no results. On **2 April 2005**, a group of the armed people wearing masks again broke into the house of the Vakaevykh. This time they took away **Shamsudi Vakaev** by force. Since then, nobody had seen him. It remained unclear whether any investigation had been conducted on the basis of facts of these abductions. ECHR ascertained an infringement by the Russian Federation of Articles 2, 3, 5 and 13 of the European Convention on Human Rights Protection and Basic Freedoms: the abduction of a relative of the Applicants, the absence of an effective investigation of this crime and the lack of means of legal protection.

300 000 euros was awarded for a moral damage altogether to all the four Applicants, **11 000 euros** for a material damage altogether to two Applicants and **4 000 euros** for litigation expenses.

Tovsultanova versus Russia (the decision was made on 17 June 2010)

The Applicant is an inhabitant of the Chechen Republic.

Around 13:00, **on 14 2004**, **Sa'id-Magomed Tovsultanov** was detained by a group of the armed people, dressed in camouflage uniforms, who arrived in five VAZ motor vehicles and one UAZ car, in the centre of *the stanitsa [a Kossack village] of Sleptsovskaya (Ordzhonikidzevskaya) of the Ingush Republic*. Before Sa'id-Magomed was put in a car, he had time to tell his name to an eyewitness who informed his mother about the detention. Sa'id-Magomed disappeared without a trace. The investigation of the disappearance yielded no results.

ECHR ascertained an infringement by the Russian Federation of Articles 2, 3, 5 and 13 of the European Convention on Human Rights Protection and Basic Freedoms: the abduction of a relative of the Applicants, the absence of an effective investigation of this crime and the lack of means of legal protection.

30 000 euros was awarded for a moral damage and **5 500 euros** for litigation expenditures.

Bataev and others versus Russia (the decision was made on 17 June 2010)

The Applicants are 10 inhabitants of the Chechen Republic.

On **18 September 2000**, **Zaur Ibragimov, Magomed Temurkaev, Rizvan Ismailov, Sa'id-Ali Musaev, Kharon Musaev** and **Khasan Bataev** were in the latter's house in *the city of Grozny*. Around 16:00, two armoured troop-carriers and an UAZ car approached the house. A group of armed people, dressed in camouflage uniforms, got out of the cars and entered the house. They seized all the six men and took them away along with them. Since then, their families had not received any news from them. The investigation of the case of their disappearance yielded no results.

ECHR established an infringement by the Russian Federation of Articles 2, 3, 5 and 13 of the European Convention on Human Rights Protection and Basic Freedoms: the abduction of a relative of the Applicants, the absence of an effective investigation of this crime and the lack of an effective means of legal protection.

420 000 euros was awarded for a moral damage altogether to all the Applicants, **42 975 euros** for a material damage altogether to all the Applicants and **4 150 euros** for litigation expenses.

The Gelaevs versus Russia (the decision was made on 15 July 2010)

The Applicants are 6 inhabitants of *the settlement of Gikalovo of the Chechen Republic*.

On the morning **27 February 2000**, a large group of federal servicemen blocked the house of the Gelaevs in *the settlement of Gikalovo*. They took Murad Gelaev out of the house and made him sit in one of the cars. The mother of Murad and his grandmother were beaten up when tried to prevent the detention. Some other fellow villagers of M.Gilaev were also arrested on the night of **27 February 2000**. Some of these people were subsequently released and they informed that they had been contained along with Muradom in the Pre-Trial Detention Centre of *Chernokozovo* and that he was subjected to torture. Since then, there had been no news about Murad.

ECHR established an infringement by the Russian Federation of Articles 2, 3, 5 and 13 European Convention on Human Rights Protection and Basic Freedoms: the abduction of a relative of the Applicants, the absence of an effective investigation of this crime and the lack of an effective means of legal protection.

88 000 euros was awarded for a moral damage altogether to all the Applicants, **18 000 euros** for a material damage and **5 500 euros** for litigation expenses.

Benueva and others against Russia (the decision was made on July, 22nd, 2010)

The Applicants are 15 inhabitants of the Chechen Republic.

On the evening of **24 November 2002**, **Abu Zhanaev** and **Sa'id-Selim Benuev** were abducted by some armed servicemen from their houses in *the village of Martan-Chu of the Chechen Republic*. They were made to sit in an UAZ car and driven away towards *the village of Urus-Martan*. Since then, Abu and Sa'id-Selim had been missing. The investigation of their abduction yielded no significant results.

ECHR established an infringement by the Russian Federation of Articles 2, 3, 5 and 13 European Conventions on Human Rights Protection and Basic Freedoms: the abduction of a relative of the Applicants, the absence of an effective investigation of this crime and the lack of an effective means of legal protection.

120 200 euros was awarded for a moral damage altogether to all the Applicants, **3 000 euros** for a material damage altogether and **4 000 euros** for litigation expenses.

Akmatkhanova and others versus Russia (the decision was made on 22 July 2010)

The Applicants are 4 inhabitants of *the town of Shali of the Chechen Republic*.

Around 9:00 in the morning, on **2 April 2003**, **Artur Akhmatkhanov** was heading to the Population Employment Centre of the town of the Shali along with his mother. His mother left some documents behind in the house and returned to fetch them. After a while, she heard some sounds of shooting from the direction of a medical warehouse. Having returned to the Centre, she saw that the warehouse was surrounded by Russian servicemen. She did not find Artur anywhere. The servicemen left after approximately half an hour in four armored troop-carriers. Some witnesses saw a young man with a polyethylene package on his head, who was put in one of the armored troop-carriers by the military men. Artur's cap was later found on the territory of warehouse. Since then, Arthur had been missing. The investigation of his disappearance yielded no results.

ECHR ascertained an infringement by the Russian Federation of Articles 2, 3, 5 and 13 of the European Convention on Human Rights Protection and Basic Freedoms: the abduction of a relative of the Applicants, the absence of an effective investigation of this crime and the lack of an effective means of legal protection.

60 000 euros was awarded for a moral damage altogether to all the Applicants, **15 000 euros** for a material damage and **5 500 euros** for litigation expenses.