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Bulletin by Human Rights Center “Memorial”
The situation in North Caucasus. Evaluation by human rights
activists.

Winter 2007-2008 – early March 2008

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1. Armed confrontations in North Caucasus

The armed confrontations continue in North Caucasus. Nonetheless, it is important to note that the character of these confrontations has changed considerably during the past few years. It is now difficult to use the word “war” (even partisan) to describe this conflict.

Insurgents have firm control only over a small piece of territory in the Republic of Dagestan. Nonetheless, these settlements and the neighboring territories are being actively “mopped up” by security forces. Thus, the whole winter the special operation had been carried out in the village of Gimry.

At that it is possible to note that armed militants against the Russian Federation have created an “implanted” in number of Republics armed underground. Militants prefer to engage in shelling and ambushes as well as explosions of landmines and fougasses. In doing so, they are acting the

most frequently in villages and adjacent territories.

It is still impossible to give any substantial estimation of number of people and resources of militants, if we base on different statements given by “siloviks” of diverse departments and diverse levels. The difference in the estimations of number and of the level of organization of militants is too large. Like all previous years, the officials are speculating with number of militants doing so in the interests of one or another security agency. The federal militaries counted up to 440 militants people on the territory of Chechnya (general **A. Edelev**, deputy Minister of the Interior, *RIA Novosti*, 6.2.2008) while the General **Nikolay Rogozhkin**, commander-in-chief of the Internal Troops in December 2007, estimated the number of militants throughout all the northern Caucasus at 500 - 700 people. In January 2008 **Ramzan Kadyrov** has once again put an end to the war, calling to mention it only in the past tense. He counts 60 – 70 of “shaitans” - the traditional figure, meaning, apparently, a level which allows believing the war is finished (*Nezavisimaya Gazeta*, 1.2.2008).

The scale of operational activities of the bodies of the Ministry of the Interior over the past year is still serious. According to the Major-General **Vyacheslav Kuzmin**, representative of the Ministry of the Interior, over the past year only in Chechnya 28 chiefs of band-groups and 164 militants, including the "commanders of the fronts" **Batayev, Mutiyev, Khalilov** had been “neutralized” (that means, physically destroyed). Another 735 militants were detained. In doing so, 329 bases of militants and 676 caches of weapons and ammunition were eliminated, 867 pieces of small arms, 409 grenade launchers and 7656 cartridges for them, 31 flame-thrower, 15 anti-tank guided missiles, about 2000 hand grenades, more than 11500 shells and mines, 1880 kilograms of explosives, more than 550 thousand munitions were seized. 285 hand made explosive devices were neutralized (according to the official website of the Russian Federation’s Ministry of the Interior, 17.3.2008). It is no surprise that **on January 30**, the Russian President Vladimir Putin, speaking at the final board of the Federal Security Service, said that the situation in the North Caucasus was still not under the total control of Moscow, and the terrorist threat in this region was still high.

Meanwhile, the virtual proclaimed last autumn Islamic state "Imarat Caucasus" is still existing. His head, **Dokku Umarov**, now called with a religious name **Abu Usman**, made a long inspection trip throughout "vilayets" of Ichkeria and Ingushetia, during which he visited the cities of *Dzhohar (Grozny)*, *Nazran*, the villages of *Avtury* and *Kurchaloy*, held a meeting with the leadership and inspected the ordinary "mujahedins", as the website "*Kavkaz-Center*" reported. At that, Umarov stressed that, all squads remained in their winter camps, supposedly, the first time since the beginning of the second war.

The separatists’ websites are still full of sharp disputes between supporters and opponents of the new course of **Dokku Umarov** to establish a Shariah State and the supporters of the old model of Ichkeria’s separatism - mainly immigrants, settled abroad. The press release about the visit marked openly in the Soviet spirit how all the field commanders "have expressed their sharp displeasure and condemnation" of the actions of the schismatics (*Kavkaz -Center*, 1.2.2008). In recent months political, religious, and legal discussions about the State structure of the North Caucasus have become the main information’s occasion. They have even overshadowed the reports from the "fronts".

During the winter of 2007/2008 the intensity of the military clashes between federal and local “siloviks” from the one hand and militants from the other hand was considerably high, though it was significantly lower than last autumn. Officially it was announced that only in Chechnya and only in **January 2008** 18 militants were killed and 51 people suspected of involvement in illegal armed groups were arrested (*IA Rosbalt*, 2.2.2008). The losses of Russian “siloviks” can be estimated on announcements of the news agencies, collected on the website "*Voinenet.ru*". According to its information, in the winter of 2006/2007 in the North Caucasus **42 representatives of security agencies were killed and 85 injured**, including 18 killed and 40 injured people in Chechnya, 11 killed and 24 injured in Ingushetia, 7 killed and 18 injured in Dagestan, 3 killed and

3 injured in Kabardino-Balkaria, 2 killed in Karachevo-Cherkessia and 1 killed in North Ossetia.

Compared with autumn season in 2007, when 61 people were killed and 132 injured, the number of victims of terrorist attacks and militant clashes dropped by one and a half times, but it is considerably higher than the same number for the last winter 2006/2007: 25 killed and 70 injured people (see the relevant bulletins by Memorial": www.memo.ru/2007/12/27/2712071.html , www.memo.ru/2007/03/14/1403072.html).

Thus, it is impossible to talk about a sharp reduction in number of militant clashes and attacks on soldiers.

There are a few typical episodes.

On January 15, during a special operation carried out in Grozny, four militants, involved in the killing of law enforcement officials, were killed. **Uvays Techiyev**, his 19-year old wife **Zama Mantsuyeva**, **Ruslan Isayev** and **Khalid Sultanov** were killed in their house located on Pavlov street in Grozny. On January 16, in woodlands on the outskirts of villages of *Marzoy-Mokhk* and *Benoy of Vedeno district of Chechnya* a clash between police officers and a group of Chechen militants occurred. During the firefight, seven policemen were injured, one of them subsequently died of his wounds. Later, the law enforcement officials in Chechnya have found the body of one of the militants on the place of shooting.

On January 28, in woodland near *the village of Gordali of Nozhay-Yurtovsky district* during crossfire between officers of security agencies and a group of militants a soldier of a unit of the Interior Troops of the Ministry of the Interior of RF and a policeman were killed. Later the law enforcement officers found the bodies of two militants, a man and a young woman, near the village of Bas-Gordali.

On January 30, in wooded mountain area in the west of Chechnya the clashes between militias and federal "siloviks" occurred.

On January 30, in the afternoon, in woodlands in the vicinity of the village of *Chishki of Urus-Martan district*, four unidentified people abducted a hired soldier, Sergeant of the Interior troops of the Ministry of the Interior **Zarochentsev**, born in 1984. Officers from the commandant's office conducted the reconnaissance and search-related activities in the forest. Perhaps they were due to the activity of a group of militants in southern Urus-Martan district in the vast forests. Many times they have begun clashes with federal soldiers. Thus, on January 15, near *Chishky* a column of three vehicles, two "Ural" and one "UAZ", carrying 12 officers belonging to a detachment of the Interim Operational Grouping of the Russian Ministry of the Interior on Shatoy's district, came under fire. As a result, two policemen from Bryansk (*Sevsky* and *Mglinsky*) districts were injured.

The fact of presence of the Interim Operational Grouping of MVD in Shatoy's district proved its unstable environment. For example, this kind of institution were abolished "on the plane" about three years ago, and all of the powers were transferred to permanent police offices, staffed by officers of Ministry of the Interior from among local residents. It is even more surprising that they, as it was reported, were going to the plains, to the base of federal forces in Khankala in order to take provisions and firewood (!). The latter indicates the degree of control on the territory taken by federal forces: if it is true, they do not dare to go to the mountainous villages to bring firewood.

On January 29, the situated on the plain the village of *Gekhi of Urus-Martan's district* was subjected to artillery fire, and it's a miracle that no one died or was injured. 26 houses were damaged. The got Gekhi shells were intended to militants located in the woodland near the village of *Bamut*, situated in 25 kilometers from Gekhi.

The Acting Commander of the Joint Grouping, Lieutenant-General **Vinogradov** reported at the meeting with **Ramzan Kadyrov** that in the evening of 28 January in the outskirts of *Bamut* a military clash occurred: the intelligence group of federal forces from the 10th detached brigade of the special police of the General Intelligence Agency was involved into clashes with "an avant-

garde of an unidentified band group of 8-10 people. " One officer was killed, three were seriously injured. The gunners – the howitzer battery – should "cut off the path of alleged retreat of militants to the woodland in direction of Ingushetia." A spotter committed an error and shells flew in directly opposite side. The criminal case was not initiated because no one of the inhabitants of Gekhi was killed, and officers promised to repair the damage.

In Ingushetia, the attacks of militants occurred regularly.

Thus, on **December 7** in the center of Nazran unidentified people fired a car VAZ-2109 carrying three officers of UFSB RF for RI of the Ministry of the Interior from automatic weapons. All three officers were injured; they were brought to the hospital in the city of Nazran. On the same day the suspect in the attack was arrested. It was **Tutayev Khozh-Akhmed Tagirovich**, born in 1968, resident of the city of Nazran

In the morning of **December 27** on the road between *the villages of Surhahi and Ekazhevo of Nazran's district* unidentified persons fired the car "UAZ" with automatic weapons, carrying the following officers: Colonel **Sergei Ivashchenko**, Maj. **Oleg Stukalov**, soldiers **Edward Kozhmutdinov** and **Konstantin Piminov**. **Stukalov** and **Piminov** died at the scene, **Ivashenko** was taken to a military hospital in Vladikavkaz. According to the Ministry of the Interior of Ingushetia, the officers served in the military unit 3724 deployed in *the village of Kartsa* in North Ossetia.

Militants attacked also the civilian authorities. It happened the most frequently in Ingushetia. Thus, on **December 9**, in the city of *Nazran* unknown persons fired the house belonging to the mayor of the city **Magomed Tsechoev**. On **February 18**, a car carrying **Ruslan Gagiev**, assistant chairman of the National Assembly of the Republic of Ingushetia, was fired. On the night of **February 10**, an antitank grenade was thrown in a window of the house of **Ibrahim Mogushkov**, head of the Investigative Committee of the Prosecutor's office of Russia for Ingushetia. On the night of **February 19** the house of **Ibrahim Malsagov**, head of the Government of the Republic of Ingushetia, was fired from assault rifles and grenade launchers.

In winter and early spring the "siloviks" of high level had been subjected to attacks in another two republics.

In the evening of **January 12** in Kabardino-Balkaria **Anatoly Kyarov**, head of the UBOP by the Ministry of the Interior, was shot (Interfax, 12.1.2008).

On **March 7**, also late in the evening, in Vladikavkaz **Mark Metsayev**, head of the UBOP of the Ministry of the Interior of North Ossetia was shot. His car was fired after unidentified people organized a car accident with the car of **Metsaev** in the centre of the city. One suspect, whose name is not to be disclosed, was arrested at the scene (RIA Novosti, 9.3.2008).

The "Siloviks", in their turn, keep using the chosen long time ago tactic - the blockade of the households and apartment houses, in which militants were trying to hide, with their subsequent destruction by massive use of all possible firing means, including tanks. The main purpose of such actions is to minimize the own losses of law enforcers. Often they don't consider as necessary to take care of the inhabitants of neighboring apartments and houses. According to the Human Rights Center "Memorial", on the night of January 16, 2008, in Grozny none of the residents of neighboring apartments had been evacuated during the storming of an apartment located on 121, Kirov Prospect,. Only after at 10 a.m. the next day the special operation lasted for about 12 hours, finished, people were able to go out from their apartments. The house was significantly damaged, and its inhabitants, including children, have received psychological shock. (www.memo.ru/hr/hotpoints/caucas1/msg/2007/12/m114296.htm).

The special attention should be paid to the lasting for several months the special operation in *Untsukul'sk's district of Dagestan*, its epicentre is the village of Gimry. The village of Gimry, located in Untsukul'sky district of the republic, is located at a distance of 78 kilometres from the city of

Makhachkala. The village consists of more than 1000 yards, its population is about 3500 people.

Since **December 15, 2007** by the decision of the National Anti-Terrorist Committee of the Russian Federation (the chairman is **Nikolay Patrushev**) the counter-terrorist operation has been conducted in Gimry. The direct cause for its start was the assassination in Gimry of **Gazimagomed Magomedov (Gimrinsky)**, former militant, then deputy of the People's Assembly of the Republic of Dagestan and the local authoritative figure, which was allegedly involved in the death of **Khattab**. In December 10, 2007 **Magomedov** was at his acquaintances' in the village of Gimry. Late in the night he was asked to go to the street and there he was shot. The suspect in this murder is **Ibrahim Gadzhidadaev**, resident of the village of Gimry, one of the leaders of the Dzhamaat of Gimry. (www.memo.ru/hr/hotpoints/caucas1/msg/2007/12/m116930.htm).

The village was blocked from all sides by officers of security agencies. They visited each house to check the passport regime and conducted operational-search activities to identify and detain members of illegal armed groups, to seize any weapons, ammunition and explosives illegally held by the population.

In *mid-January 2008*, a month after the start of the operation, the Ministry of the Interior of Dagestan unveiled the provisional results of the operations: 2241 checked households, 4580 checked citizens, 1580 checked vehicles, 527 conducted targeted activities, 557 people were brought to the police in order to verify their identity, 57 supporters of militants being discovered among them. One militant was destroyed, three members of subversive and terrorist group called "Gimry's dzhamaat" were arrested, 8 criminal cases were instituted, 4 of them were sent to court (RIA "Dagestan", 17.2.2008).

Curiously, from the beginning the operation was planned as a long-term siege: already on the first day of the operation, December 15, it was announced that the operation would last until the situation stabilizes and "currently the deployment of military camp was carried out" (RIA "Dagestan", 15.12.2007). It was also stated that militants were preparing for a long defense, apparently acting like during the defense of the villages of *Karamakhi and Chabanmahi* in **1999**. According to **A. Magomedtagirov**, Minister of the Interior of Dagestan, 21 caches and bunkers, disguised constructions for the long-term residence with all domestic facilities were found during searches in 25 households, owners of those were wanted and also in the houses of supporters and members of Illegal armed groups. Only on February 20, that means, more than two months after the beginning of the special operation, **Bammatkhan Sheikhov**, leader of the so-called "Buynaksk' dzhamaat" was discovered in one of these bunkers, (the weekly "Chernovik", 26.2.2008).

The major party of his group (8 people) was destroyed already on November 12, 2007 in Makhachkala. B. Sheikhov is considered as the organizer of the assassination attempt on the Minister of the Interior **A. Magomedtagirov on February 3, 2007**. **Shamil Magomedov**, former head of the administration of Untsukul'sk's district, is believed also to be linked with militants. A large quantity of arms, their parts and ammunition, were discovered in a room of his own warehouses (RIA "Dagestan", 17.1.2008).

In February 2008 the residents of the village were traveling without any restrictions within the limits of their own village, including by car, but the entry and exit of the village was limited and carried out according to the lists, daily submitted by the administration of the countryside and agreed with the head of the special operation at the scene. In the case of any urgent need, such as an urgent need of hospitalization, the residents of the village could leave on a simplified procedure.

The blockade of the village of Gimry that lasted for several months, as well as blocking of the located near the village five-km long Gimry's tunnel, one of the main strategic arteries of Dagestan linking the mountainous regions of the republic with its capital has a negative impact on socio-economic situation in the region: people have to travel in the market in order to buy agricultural products and other necessary things making a big detour of one hundred kilometers more.

According to the official agencies, the relationship between local residents and policemen normalized, the latter have even established the provision of water tanks to each house (according to the website "The Commissioner for Human Rights in the Republic of Dagestan", 9.2.2008). At the same time, nobody knows when the operation will end and what results officers are expecting.

2. Abductions and shootings continue.

Abductions and special operations with the use of inappropriate violence, due to the targeted destruction of suspected militants by members of various law enforcement agencies in the North Caucasus, although it has significantly decreased in the past 2007 year (especially in Chechnya), but they are not completely stopped. There were abductions and special operations with the use of inappropriate violence in winter of 2007 – 2008 not only in Chechnya and Ingushetia, but also in Dagestan and Kabardino-Balkaria.

Kabardino-Balkariya.

On **December 10, 2007** in **Shavayev Beslan Aslanovich**, born in 1985, "disappeared" the village of *Hassania*. The young man went into the street in the night to meet with his friends and never returned home.

On **December 12, 2007** approximately at 11.00 the police officers came to the uncle of Shavayev and reported that **Beslan** was being in the UBOP of the Ministry of the Interior of Kabardino-Balkaria and that he would be released soon. However, it was stated in the UBOP to the relatives of Shavayev that Beslan was not there and he had never been there. As for March 2008, the whereabouts of young man were unknown. (www.memo.ru/2007/12/19/1912072.html).

Another case was recorded in the town of *Chegem*. **Tamara Hutiyeva** appealed to the office of the Human Rights Center "Memorial" in the city of Nazran. She said, on **January 31, 2008** in the town of Chegem officers of unidentified security services abducted her son, **Daud Umaevich Hutiyev**, born in 1985, from the hospital where he was treated after a serious accident. On January 31, a guest came to visit **Daud**. That was a young man who earlier was in the same hospital in the same ward together with Hutiyev until he was discharged. After 20.00 **Daoud** went to go with him together to the door. At the reception office seven people attacked both men. Two of attackers were dressed in police uniform and other were in civilian clothes. **Daoud** and his guest were knocked down on the floor, searched and then withdrawn from the hospital.

The guest was released on the street, and **Hutiyev** was taken in a car and driven away to an unknown destination. As of March 2008, the Daoud's whereabouts were also unknown. According to the mother, her son committed nothing illegal and his unique hobby in the life was sports. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m119701.htm).

Ingushetia.

Here, the abductions and extrajudicial executions of young people by officers of security agencies are one of the most serious destabilizing factors. Every new case causes protests actions of local residents. The most frequent are the so-called "special operations", during which the young people are aiming shot in the street and then declared militants. Then it is no longer possible to prove the contrary. Usually the officers make no attempts to detain them.

Thus, in the evening of **January 30**, in the outskirts of the village of *Surkhakhi*, officers of Russian security agencies killed two local residents: **Dzhabrail Muharbekovich Mutsolgov**, born in 1983, and **Ramazan Mahmudovich Nalgiyev**, born in 1984. The car carrying Mutsolgov and Nalgiyev was cut in front by a minibus "gazelle" on the road to the village of Surkhakh. "Siloviks" opened heavy fire with automatic weapons. Mutsolgov and Nalgiyev were killed, their car pulled off in a ditch. A few minutes later, an armored personal carrier, several cars and minibuses UAZ and

"gazelle" arrived to the scene, carrying officers of unidentified security agencies. They surrounded the area and started to inspect the car. Nobody was allowed to enter the area of special operations, including officers of local republican security services. "Siloviks" dragged the killed men from the car. After some time they blew the car up. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/01/m119986.htm). According to the official message of the Prosecutor's office, "two wanted members of illegal armed groups R. Nalgiyev and D. Mutsolgov had been destroyed. They were involved in a number of subversive and terrorist acts committed on the territory of the Republic of Ingushetia" (website of the Prosecutor's Office of Ingushetia, 30.1.2008).

According to their relatives, Mutsolgov and Nalgiyev were not wanted, they had peaceful occupations. Mutsolgov was officer of the Pension Fund. Relatives do not exclude that their deaths could be due to a car VAZ-21012, which **Dzhabrail Mutsolgov** bought only a few days before death. Shortly before, a post office in Nazran was fired from a similar car. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/01/m119986.htm).

A few days later, *on February 1 at about 13 hours* **Yusup Chapanov** was shot in *Bazorkin avenue in Nazran*. He was returning from the mosque after Friday prayers. According to the Human Rights Center "Memorial" near the monument to the Great Patriotic War unidentified armed men carried by a car VAZ of steel color called him. When Chapanov turned around, unknown people shot him at point-blank range with automatic weapons. After that the warrantless searches was conducted in the Chapanov's house. On February 1, **Bashir Chapanov**, brother of the victim, appealed to the Office of Human Rights Center "Memorial" in Nazran with a statement, asking for assistance of identifying of persons involved in the killing of **Yusup**. He said that Yusup was not wanted and was not brought to criminal responsibility (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m119700.htm).

On February 2, **Piotr Pronko**, press secretary of UFSB of Ingushetia said in an interview to the radio "Echo of Moscow" that all operations in Ingushetia had been carried out on the personal instructions of the President of Russia **Vladimir Putin**. Literally he said: "Due to the fact that we should stop, let's say, the existence of militants in the Republic of Ingushetia, we have already rubbed three of them out in the outhouse, in the words of President Vladimir Vladimirovich ("rubbed out" were **Mutsolgov, Nalgiev and Chapanov** – HRC "Memorial").

Such cynicism of the State representative in the actual tense atmosphere in Ingushetia can be described only as provocative.

On December 12 in the *stanitsa Nesterovskaya* officers of security forces have abducted **Ruslan Saydaminovich Arsanukayev (Barayev)**, born in 1972 in Chechnya, temporarily residing at the address: 152, Proletarskaya Str.

According to the neighbors, at about noon the car VAZ-2107 (registration number 95, the first administrative region) arrived to the Ruslan's house carrying four people (one was dressed in civilian clothes, others in police uniform, they spoke Chechen). They took Ruslan away to an unknown destination. Siloviks said to one of the neighbors that they detained Ruslan because he hid under a different name. Where he would be delivered, what of security agencies detained him, they did not say. Within several days, the relatives could not know anything about the fate of Ruslan Arsanukaev.

Meanwhile, on **December 14**, RIA Novosti reported with reference to the law enforcement agencies that *on December 13* in the Sunzha's district of Ingushetia "a resident of Grozny, which had been member of the group of odious militant Arbi Barayev from January 2000 to November 2001, according to the operational data, had been detained. The detention was made both by officers of "the Investigation Office of the Ministry of the Interior of Russian Federation and of the Republican [of the Republic of Ingushetia, should follow from the context] Department of Criminal Investigation". The detention was due to the checking of "involvement in the commission of

serious crimes".

After learning about the abduction of Ruslan, his mother, **Zoya Baraeva**, appealed to the territorial police department of the village of Chernorechye of Zavodsky district, but there she was sent to the law enforcement agencies on the scene of the crime - in Ingushetia.

In fact, Arsanukayev was detained by officers of the deployed on the territory of the Chechen Republic structure, - The Intelligence Bureau of Investigation № 2 (ORB-2, in Russian). They took him to Chechnya, to the office of ORB-2 in Urus-Martan, and then transferred to the Detention facility of the city of Grozny. Obviously, the detainee had not have any procedural status at least for one day, and relatives had not have any information on his whereabouts for many days. Accordingly, he was unable to obtain any competent legal assistance (www.memo.ru/hr/hotpoints/caucas1/msg/2007/12/m115957.htm).

In winter, the news of the mass violence against defendants in temporary detention facilities (IVS) in Nazran were added to the facts of abductions and extrajudicial shootings in Ingushetia. **On February 19**, the office of "Memorial" has received at once 17 complaints of defendants about the fact of their mass beatings occurred on **February 15**. "Masked men visit us in IVS, provoke us, humiliate and insult, call as bandits and vahabists. They apply physical force to us. Because of our powerlessness we have to divulgate it. There is no defendant or person under investigation, who would not be subjected to physical beating or insulting "- writes the defendant **Murat Esmurziyev**. He said beatings occurred regularly. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m120621.htm).

In Ingushetia, many people believe that a certain degree of tension is maintained deliberately by traveling on mission officers of the security forces, because their business mission is relatively well paid. The massive hours-long attacks of households give even more revenue to the officers of the security services. (Vlast, 4.2.2008).

Chechnya.

Despite a significant decrease of the number of abductions in Chechnya in 2007, this phenomenon has not entirely disappeared, and we can talk even about a slight increase in their numbers. According to the monitoring made by the Human Rights Center "Memorial", six abductions had been perpetrated for the three months of winter of 2007/2008. At that, five abductees have returned home and one disappeared. Here are the concrete examples. **On February 6**, in the village of Goi-Chu of Urus-Martan district of Chechnya officers of unidentified security agencies abducted **Ayndi Humidovich Akuyev**, born in 1985, residing in the village of Goi-Chu on Sverdlov St. and a resident of the village of *Alkhazurovo* **Alikhan Magomadov**. Their car was blocked on the road to the village of *Starye Atagi* of the Grozny's (rural) district. Dressed in camouflage uniforms people brought Akuyev and Magomadov into his car and taken away to an unknown destination. On the same day, they were brought home. According to Ayndi Akuyev, officers tried to persuade them to cooperate. The next day Ayndi was taken away again by people dressed in military uniform (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m119988.htm). Two days later he was released. He and his relatives refuse to give any comment after the second abduction (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m120616.htm)

On January 28, at 15.30 in the village of *Chernorechye of the city of Grozny* officers of unidentified security services abducted **Beslan Sultanovich Elmurzaev**, local resident, born in 1975, residing in the apartment house located at Vyborskaya, St., 46. 10-15 masked "siloviks" dressed in black and camouflage uniforms, broke into the **Elmurzaev's** apartment. At that time, there was all the family of Beslan and their guests in the apartment. "Silovikk" seized **Beslan** and started to take him away to the street without explaining any reason. His sister tried to find out who were these people are and where they want to take his brother. One of the officers hit the woman

with butt of the assault rifle in the face, and she lost consciousness. The wife of Beslan was pushed aside when she tried to prevent the abduction of her husband. Elmurzayev was brought to the car "gazelle" and taken away to an unknown destination.

Perhaps the abduction is due to the fact that already in **2003**, the police seized his passport for verification when he traveled. Heard about the detention and torture of Chechens, Beslan was frightened and escaped. He returned home and his passport remained at police officers'. Since then, the law enforcers have shown no interest to him. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/01/m116415.htm). As of April 2008, the whereabouts of **Elmurzaev** is unknown.

On January 13, 2008 in the area of "Petrovavlovsky market" in Grozny officers of unidentified security services killed **Adam Gebartoyevich Askhabov**, born in 1977, resident of the village of Sernovodsk of Sunzhensky district of the Chechen Republic, while he tried to escape of the surveillance by law enforcement officers. Two months ago (after his wedding) Adam and his wife moved in Grozny to live there temporarily. He studied at a university, had the examination period when he was killed. According to his wife, on January 13, Adam sent her to Sernovodsk, and went himself to "Petrovavlovsky market" to buy a car. What happened next with Adam, and what happened with the money for the car, his relatives do not know. **Adam Askhabov** had been on constant control of law enforcers since 2000, when his brother and uncle were killed during the storm in the village of *Komsomolskoye*. Hy was repeatedly detained and beaten (www.memo.ru/hr/hotpoints/caucas1/msg/2008/01/m115601.htm).

Dagestan.

The problem of abductions in the Republic of Dagestan has changed for the worse in spring 2007 when at least 10 people had been abducted for a short period. Many of the abducted have not returned home so far.

In winter 2007/2008 the Human Rights Organizations monitored the abduction of two young men and an attempt of abduction of another one.

On the night of **January 31, 2008** in the city of Makhachkala officers of unidentified security agencies abducted two local residents: **Dzhabir Kamalutdinov** and **Shamil Omarov**. According to their relatives, armed masked men dressed in camouflage uniform, had taken Kamalutdinov and Omarov away. The relatives appealed to the Republican Prosecution of the Ministry of the Interior pursuant the fact of abduction and wrote an appeal in the names of the Presidents of Dagestan and Russian Federation. Also, they took a protest rally in Makhachcala from 4 to 6 January on Lenin St.

On the night of February 7 abductors released the young men near their home, throwing them to ground. Both had black bags put on their heads. **Kamalutdinov** and **Omarov** do not know nor who had abducted them neither where they were detained. According to their words, they had been detained for about two days in a certain building at the seaboard, constantly having bags on the heads.

After that, **Kamalutdinov** and **Omarov** had been brought to another place. Many typical details pointed that it was located somewhere in Chechnya. There they were beaten and asked questions, from which it became clear, that **Dzhabir** and **Shamil** were suspected to have links with the "wahhabist's" illegal armed groups. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/01/m120002.htm).

"As we pray and respect the religious ceremonies, they tried to clarify, what connections did we have in the religious sphere. During the questioning they applied illegal methods of conduction of investigative actions. They beat me on kidneys, head, in groin with a flask filled with water so that no traces of beating appear. They tried to pull out my nails with pliers. Tthey put a gas-mask

on my head. In addition, they threatened to put a gun in my hands and to conduct a special operation with the typical end, that means, to destroy me”, - D. **Kamalutdinov** said after being released (*Kavkaz-uzel*, 23.2.2008).

Over the past six months the problem of abductions in Dagestan has become publicly known thanks the activity of the relatives of abductees and the public committee "Mother of Dagestan for human rights". Thus, "Mother of Dagestan" tried to attract the maximum public attention to the case of the disappearance of **Kamaludinov and Omarov**. They brought the situation to the notice of the President of Dagestan **Muhu Aliyev**. The problem was covered in the media, including the public ones. Obviously, largely thanks to this activity it was possible to obtain the release of the abductees. It should be noted that the authorities of Dagestan do not hinder the work of the committee. Moreover, the President Muhu Aliyev told about "the tightening of the attitude" of the media, human rights activists and the whole society of Dagestan towards the abductions of citizens "by persons dressed in camouflage uniform" (RIA Dagestan, 15.2.2008). **On February 14, Jabir Kamaludinov** held the press conference in Makhachkala.

The representative of the committee "Mother of Dagestan" **Gulnara Rustamova** states that there are witnesses who may cite the names of those law enforcers which participated in the abductions. The latter were obliged to "uncover themselves" while trying to take away **Abdulkadyrov Amin**. Abdulkadyrov knew that two of his friends, **D. Kamalutdinov** and **Sh. Omarov** were already abducted (and during their abduction constantly asked about **Abdulkadyrov**). Therefore, **Abdulkadyrov** was remaining home together with relatives all the time, and when the «siloviks» arrived, he had immediately called his relative working in the FSB. The «siloviks» had nothing other to do but to call **Abdulkadyrov** officially to the UBOP to testify.

The Prosecutor's Office of the Republic of Dagestan created an interdepartmental investigative and operative group to investigate criminal cases opened on the facts of abductions and to conduct checking of information about the abductions.

According to the information received by a correspondent of "Kavkaz-uzel" in the Prosecutor's office of the Republic of Dagestan, the authorities in Dagestan prosecutor's office have received 45 messages about the abduction of 47 civilians (including 11 girls with purpose of marriage) for 2007. 25 criminal cases had been instituted. In 19 cases the Prosecution refused to open the criminal proceedings because the disappeared people were found. ("Kavkaz-uzel", 23.2.2008)

In the last issue of our newsletter, we reported (http://www.memo.ru/2007/12/27/2712071.htm#_11.Положение_в) that **Iliyas Dibirov**, arrested on suspicion of involvement in the Illegal armed groups (www.memo.ru/2007/12/18/1812071.html) had been subjected to severe torture for more than a month in **November and the first half December 2007**. Dibirov had been regularly transported from one place to another, detained in many different temporary detention facilities and detention centers (in the towns of *Izberbash*, *Makhachkala*, *Derbent*) so that the relatives and human rights activists can not find him. The HRC "Memorial" appealed to the Human Rights Ombudsman in Russia V.P. Lukin, the latter interfered and the torture stopped.

At that time Dibirov had been detained in the detention center of Makhachkala. According to his lawyer **Aziz Kurbanov**, actively collaborating with "Memorial", in March the investigation against his client ended and the criminal case was referred to the prosecutor, who should decide whether it was ready for consideration in the court. Dibirov was charged with six alleged criminal episodes on Articles 208, 222, 317 of the Russian Criminal Code (Organization of an Illegal Armed Formation, or Participation in It, Illegal Acquisition, Transfer, Sale, Storage, Transportation, or Bearing of Firearms, Encroachment on the Life of an Officer of a Law-enforcement Agency). Once a lawyer has received the expert conclusion on beatings inflicted to Dibirov, as well as the confirmation of his abduction, the Investigative Committee at the Prosecutor's Office of the Republic of Dagestan instituted separate criminal proceedings on those facts, although there are no

defendants on this case yet.

It will be recalled that that **Iliyas Dibiroy's brother Ramaz** was abducted in April 2007 (see: www.memo.ru/2007/09/09/0909071.htm), and his whereabouts is unknown so far.

3. From the parliamentary to the presidential elections: features of the will's expression in the North Caucasus

Amidst these circumstances of the ongoing armed confrontation for the leaders of the North Caucasian republics it was especially important to show to Moscow that they took control over the situation. The election campaign is a traditional way for local elites to demonstrate loyalty and the control over the population. At the same time, the fact that each agency pursues its own ends leads to the absurd results of election. These results let doubt any independent analyst or just a reasonable man.

In December 2007, at the elections to the State Duma of the Russian Federation the figures of the turnout of voters and the number of votes given for the party "United Russia" have achieved fantastic, unprecedented sizes in the Russian electoral practice. **On December 2, 2007** at the elections in the State Duma of Russian Federation, the turnout of voters in Chechnya had already amounted to 99.6%. At that, 99.36% of voters voted for "United Russia", 0.13% of voters voted for the Communist Party and 0.08%. - for the "Union of Right Forces". According to the Chechen Central Election Commission (CEC), the turnout of voter attended 576729 people. That means, only about three thousand citizens eligible to vote did not arrive to ballot boxes in Chechnya. In Ingushetia no other party except "United Russia" did get even 1% of the votes. In Kabardino-Balkaria 96.12% voters voted for the party of power with the turnout of 96.7%. In Dagestan, 91.44% of voters voted for the "party of power" with the turnout 92.1%. 8.6% votes were given for the Communist Party and less than 1% for other parties (according to the information of the official website of the CEC of Russian Federation). There was seen a unique result in the Habezsk's region of Karachayevo-Cherkessia. Here all the 17779 registered voters came to the polling stations and 100.00% of voters, as it noted on the website of the CEC, voted for "United Russia"!

Such a crushing victory of "United Russia" has a big practical importance for the North Caucasian republics. The number of deputies that will represent the republic in the State Duma depends directly on the numbers of votes received by a Party. For example, almost 100% - victory of "United Russia" in Chechnya allowed to four local deputies to be elected to the State Duma. Five deputies from Dagestan managed to be elected to the State Duma. For tiny Ingushetia a more equal distribution of votes between the parties would likely mean that no deputies from any party or only one could be elected to the Russia Duma from the republic. The almost 100% victory of United Russia in the Republic of Ingushetia was explained by this fact quite openly. For the regional leaders the highest result of "United Russia" also had the practical value. Eight Russian leaders receiving the highest percentage of votes were soon elected to the supreme political party. There were the presidents of five North Caucasian republics among them: Chechnya, Ingushetia, Adygeya, North Ossetia and Kabardino-Balkaria (IA REGNUM, 17.12.2008).

These truly fantastic turnout and victory of "United Russia" do not discomfort neither local nor central authorities. All the presidents, vying with each other, thanked the republican electoral commissions for their "professional work". The president of the election commission of Chechnya **Ismail Baykhanov** has even received the Order of Ahmad Kadyrov with the wording "*for exceptional achievements in the development of democratic processes that ensure the welfare and*

prosperity of Chechnya" (Interfax, 23.12.2007).

The federal officials attributed this hyperactivity of the population of the North Caucasian republics and the incredible success of "United Russia" to the rising optimism among the local population, thankful to this party and the Government for the life that started going right. Vladimir Putin, during his press conference on **February 14**, commenting to a French newspaper "Figaro" on the outcome of elections in Chechnya, said: "When a political force with which people started to link the revival of the republic arose, I fully assume that this is an objective figure." (RIA Novosti, 14.2.2008).

The head of the CEC V. Churov found his original explanation of the phenomenal turnout of voters in Chechnya: for the Chechens the parliamentary elections were an *"attribute of the long-awaited peaceful life, which they have not seen for a longtime"*. This circumstance, he said, drove almost all the people without any exception to the polling stations. The Churov's forecast about a turnout of voters for the presidential elections in Chechnya was even more original "the ecstatic mood of people will in somewhat calm down and people will get accustomed to the normal life", that will be expressed in a lower turnout (IA Rosbalt, 23.12.2007).

Only occasionally, attacked by Russian and Western liberal press, officials made any revealing slip of the tongue. "Do you know at least one region where elections were fair?", - asked the press secretary of the National Assembly of Ingushetia Mussa Kostoev. After receiving a negative answer from a correspondent of the website Sobkor.ru, he continued: *"Neither am I. Therefore, I think that it is not necessary to pay attention to this"*. (Sobkor ® ru, 4.2.2008).

The Human rights activist **Kovalev S.A** commented the outcome of Duma elections in the North Caucasus and the speech of V. Churov's specifically for our newsletter as following: *"This is a clear lie, from which our officials can not refuse. The authorities are obliged to lie, because they can not recognize that they swindle... The explanation that all other parties, except the "United Russia" got 0.1% in total is beyond the possible"*. In this connection the above mentioned slip of the tongue of the Ingush official M. Kostoev seems to be very significant.

In the Caucasus region itself, none of the journalists has decided to comment the process and the outcome of the elections in detail. The editor in chief of a relatively independent newspaper "Chechen Society" **Timur Aliyev** had a possibility to understand, how the comments were fraught with unpleasant consequences. **On December 2** in the interview to "Kavkaz-Uzel" he told about the observed low turnout at polling stations in Chechnya. As a result, Aliyev was severely criticized by **Ramzan Kadyrov** on the local television. Just after that the editorial staff of "Chechen Society" was evicted from his office in the House of press in the center of Grozny. Soon, Aliyev has disavow his statement, saying that he had only expressed his own observations and the cited by him the figure of the turnout of voters - about 30% - was applied only to the middle of the day of December 2, and that the office of the newspaper "Chechen society" wanted to leave the building of the House of press itself because of the increased rent. ("Kavkaz-uzel", 20.12.2007, see also: <http://timur-aliyev.livejournal.com/186107.html>).

Just after that, in January, Timur Aliyev became an advisor of the President of Chechnya and already in 2008, in the scandal about the alleged cleansing of Chechen television, he defended the point of view of the power in his "live journal" blog.

Assessing the outcome of the current elections, the comparison with the presidential elections in virtually independent Ichkeriya ten years ago can be mentioned. Then the elections were far from the democratic rules: several powerful candidates were suspended from participating in the elections, hundreds of thousands of Russian-speaking refugees did not vote. At the same time, then, in 1997, the activists of "Memorial" - **S. Kovalev and A. Cherkasov**, and many others had personally witnessed the people's genuine enthusiasm, reinforced with the feeling of the recent victory. But Aslan Maskhadov's victory was not unconditional – he got 59.3% of votes at the turnout of 79%.

The Churov's prophecy about the calming down of the electorate came true. The elections of the president of Russia were held in the North Caucasus with not so defiantly improbable results (although, according to the central TV channels, the ecstasy to elect a successor should be only increased). Only in Ingushetia the election campaign had some intrigue and only because it coincided with the election campaign to the local parliament (see below about this). As for the rest, the relatively reduced triumph of continuity of power looked as follows: in Chechnya, at the turnout of 91.2%, 88.7% voted for D. Medvedev, in Ingushetia these figures were 92.3% and 91.6%, in Dagestan - 90.4% and 91.9%, etc. The remaining candidates received their consoling percents of votes. Many people were surprised that Zhirinovskiy (formerly calling to throw down an atomic bomb on Chechnya) received 8.2% in Chechnya and 6.7%, in Ingushetia taking the second place in both republics (according to the website of the CEC of Russian Federation). The complaints of observers were exaggeratedly trifling and the credibility of the "sovereign democracy" had not been doubted. However, none of international observers or representatives of the Russian non-governmental organizations have not watched these elections.

4. Politics in Ingushetia: No-Rules Fighting

Ingushetia was perhaps the only region in Russia in which the elections to the State Duma had a wide public echo. Here the elections coincided with the general worsening of the social and political situation. The elections allowed yet another opportunity for conflict to flare up in the ongoing struggle between Ingush authorities and their opposition. The fact that a real political opposition, holding significant financial and media resources, exists in Ingushetia is practically unique in the Northern Caucasus. Since the authorities are always trying to force out the opposition with legal tactics, the opposition in Ingushetia has no choice but to conduct "street politics," which are often difficult to keep within the law.

The polling for the elections to the State Duma took place shortly after the rally on **November 24** was dispersed by force. The atmosphere in the Republic was very tense.

On December 3, an expected result was declared: voter turnout had been 98,32%, from which 98,72% voted for the "United Russia" party. According to the Election Commission of Ingushetia, 161,470 voters of the total 164,275 voted for "United Russia" (official website of the Central Election Commission of Russia). According to this statistic, then, only 2805 of voters had not voted. Neither the number of residents of Ingushetia who were outside of the Republic on December 2, nor the number of those people who could not come to vote because of sickness and other objective reasons, were taken into account. The opposition could not remain indifferent to such blatantly scandalous matters. Just after the announcement of the election result, **Magomed Yevloyev**, owner of the website "Ingushetiya.ru" and one of the leaders of the Ingush opposition, initiated an operation called "I did not vote." According to Yevloyev, about 700 volunteers participated in it. They visited houses in cities and villages and collected 88 000 signatures (up to 54% of voters), stating that they did not vote. According to **Magomed Yevloyev**, all the collected signatures were notarized.

Journalists tried to attract the attention of the highest Russian officials from the Central Elections Committee and the State Duma to this initiative. But the officials demonstrated intentional negligence: the legal procedures for the protest of electoral results do not include such actions, so this initiative can not elicit any legal consequences.

It should be also noted that this action was considerably discredited: for some reason, its initiators did not transmit their results any further. They did not send the collected signatures to the General Prosecution or to the Central Elections Committee. The longer the signed application forms remain "kept in a safe place," the more doubts arise, held even by persons sympathizing with the Ingush opposition. Such a large-scale collection of signatures, as was claimed by the initiators of the operation, cannot be carried out in secret and without being noticed by casual observers. But the

human rights activists from “Memorial” working in Ingushetia met neither the volunteers collecting signatures nor the people contacted by them. Later, in **March 2008**, the organizer of the operation, **Magomed Yevloyev** explained its unclear end saying that the opposition was satisfied by the deputy elected to the State Duma from Ingushetia, **Belan Khamchiyev** (“*he is a quite worthy man. If we fight for the cancellation of the results of the elections, we will risk losing him as a deputy*”) (“*Kavkaz-uzel*”, 4.3.2008)

The opposition forces in Ingushetia, headed by businessmen Maksharip Aushev and Magomed Yevloyev, try to use various possible tactics for their political struggle.. This effort became particularly apparent during the organization and forced dispersion of the rally **on January 26** in *Nazran*.

The rally was far from the ideals of peaceful political activity. Dubious methods were used to attract people. A “charitable” (indeed, free) lottery was announced, advertising the raffling off of a great number of gifts at the rally: 15 cars, one hundred computers and the same number of laptops, a thousand mobile phones, three hundred hajj pilgrimages – an unprecedented richness for Ingushetia (www.memo.ru/2008/01/29/2901082.htm). All these advertised material goods fit poorly with other appeals to go to the rally in order to struggle for transparent elections and against abductions of people.

The organizers of the rally took into account the experiences of previous protests. In accordance with legal requirements, they submitted a notification on time regarding their intention to take the rally to the authorized government body. In response, the authorities did everything in their power to prevent the event: they did not accept the notification about the rally, and they stated that the square “*Soglasiya*” in *Nazran*, the planned location for the rally, was too small for it. The authorities also issued a warning on an allegedly prepared terrorist act and held preventative talks with the organizers. Nothing helped. In connection with the alleged violations of the law during the popular agitation, as found by the Prosecution, the administrative case regarding **Maksharip Aushev** was instituted on part 1 of Article 20.2 of the Administrative Code of the Russian Federation (“Violation of the established organizational order or the assembly of a meeting, rally, manifestation, procession or vigil”).

Finally, **on the morning on January 25** the UFSB for Ingushetia declared a part of the Republic of Ingushetia the zone of a counter terrorist operation, “on account of information received regarding terrorist acts planned for places of mass popular gathering and office blocks”. As is easy to guess, the square “*Soglasiya*” was also included in this zone of counter-terrorist operation, and any gathering of people there became illegal.

On the morning of January 26 the square “*Soglasiya*” and the streets leading to it were blocked by security officers and armored vehicles. At **10:30** a big column of demonstrators approached the square – up to 200 people, most of whom were young people and teenagers. “*Siloviki*” stopped the column and began to press the crowd back using batons. When OMON (the riot police) forced out the front line of demonstrators, other people started to pull out prepared bags of stones and petrol bombs. Policemen opened fire into the air, also using tear-gas and tasers. Several persons were detained. Some teenagers, dispersed near adjacent buildings, tried again to approach the square. They threw stones and petrol bombs at the policemen. In response, the policemen continued firing into the air and beat the detainees.

Soon two buildings near the square *Soglasiya* came under fire: the office of the newspaper “*Serdalo*” and the hotel “*Assa*.” The first was burnt down, and the second did not suffer too serious damage. Journalists covering the event and human rights activists present for the action were forcibly isolated, a tactic previously used during the November rally. Attempts to take photos or videos were prevented. In particular, the employees of the *Nazran* office of the HRC “*Memorial*,” **Tamerlan Akiyev** and **Yekaterina Sokiryanskaya**, were detained. They were detained in GOVD until late at the evening together with many journalists of radio and TV-channels (**Danil Galperovich** (radio “*Liberty*”), **Vladimir Varfolomeyev** and **Roman Plyussov** (radio “*Echo of*

Moscow”), **Olga Bobrova** (newspaper “Novaya gazeta”), **Mustafa Kurkiyev** (newspapers “Tvoy den” and “Zhizn za nedelyu”), **Said-Hussein Tsarnayev** (news agency “RIA Novosti”) and others). Policemen interrogated the detainees in the GOVD, took fingerprints and tested hands for traces of kerosene and explosives. During the questioning the FSB officers and the officers of the Investigative Directorate of the Investigation Committee by the Prosecution of the Russian Federation on Ingushetia asked not only for details of the rally but also about the professional activity of the human rights activists, their wages etc. Only after many phone calls by **Svetlana Gannushkina**, a member of Memorial’s Directorate, to the Prosecution of Ingushetia, were lawyers of “Memorial” allowed to see the detained human rights activists, who were subsequently released. However, eight detained journalists were forcibly taken to North Ossetia. (www.memo.ru/2008/01/29/2901082.htm).

In total, 48 people were detained on that day in Nazran on suspicion of involvement in the mass riots. Administrative case statements were drawn up regarding 39 of them. 7 of the detainees turned out to be minors, so administrative cases were instituted against their parents (neglect of their parental duty to support and to bring up their children). 19 detainees were brought to the administrative responsibility according to Part 2 of Art. 20.2 of the Administrative Code of the Russian Federation. They were obliged to pay fines from 500 to 1000 rubles. 9 detainees were placed in a temporary detention facility on suspicion of criminal offence. There were two journalists among them – the photo correspondent of “RIA-Novosti” **Said-Hussein Tsarnayev** and the correspondent of the newspapers “Zhizn” and “Tvoy den” **Mustafa Kurkiyev**. **Tsarnayev** and **Kurkiyev** had recorded the events occurring in Nazran at the dispersal of the rally and had photographed the burning office of the newspaper “Serdalo,” when officers of the security agencies had arrived. “The journalists were taken to the car of the Traffic police. The policemen had already started to beat them on the way to the building of the Nazran’ GOVD. **Tsarnayev** was beaten with fists and **Kurkiyev** with batons. Then the journalists were interrogated by officers of the FSB and of the Investigative Committee. During the detention they were given neither food nor drink,” said the activists of the Nazran office of “Memorial”. The journalists were released only in the evening of **January 27** thanks to the intervention of the activists of the HRC “Memorial” and the journalistic community. (www.memo.ru/2008/01/29/2901082.htm)

The pursuit of the organizers of the rally, **Magomed Yevloyev** and **Maksharip Aushev**, very popular in Ingushetia, began immediately after the break-up of the rally. Yevloyev is currently living in Moscow with a semi-legal status. He states that he is under serious threat for his life (*interview with the newspaper “Novaya gazeta”, 14.2.2007*). Maksharip Aushev, who became well-known in Ingushetia this past autumn when he managed to obtain the release of his abducted son and nephew, found traces of their abductors, and accused the Ingush authorities in complicity with the abductors, remained in Ingushetia. **On February 14**, he was abducted during a special operation from the area of the village Ekazhevo. In a strategy now typical for abductions in Ingushetia, M. Aushev’s car was blocked by a column of passenger cars and two Armored Personal Carriers. After that **M. Aushev** was detained and the column left at high speed in the direction of Vladikavkaz. Later it was declared that he had been detained in the temporary detention facility in *Nalchik*. This event was preceded by the burning of the house belonging to Maksharip’s brother, **Mussa Aushev**, in the village of *Surhahi*: certain armed persons arrived by an armored personnel carrier and burned the house with a flame thrower. **Maksharip Aushev** came to the fire and was arrested.

The arrest of Maksharip Aushev, who is, for many people, a symbol of the opposition to the power of the Ingush authorities and the arbitrariness of the *siloviki*, will only lead to a new escalation of confrontation in the republic. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m120109.htm). Earlier, on **February 13**, the brother of Maksharip Aushev's wife, **Magomed Yevloyev**, full namesake of the owner of the website “Ingushetiya.Ru” was abducted in similar way. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m120108.htm).

On February 15, the court granted a request for their arrest. Both are contained in the

temporary detention facility of Nalchik. They were charged with organizing an illegal rally on **January 26** in the area of counter-terrorist operation, as well as with the arson of the premises of the newspaper "Serdalo" and the hotel "Assa". By the end of February there were six more detainees for the events of the January 26 (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m120107.htm)

Already on the night *of 13 to 14 February*, immediately after the arrest of Magomed Yevloyev, a spontaneous action of occurred in Nazran. The demonstrators, believing that the abducted was the owner of the website "Ingushetia.Ru," went to Magas but were stopped and met by the Minister of the Interior, **Moussa Medov**. He promised that Yevloyev would be released the next morning, which never happened.

Shortly after the detention of Maksharip Aushev a new protest action was announced in Ingushetia. It was scheduled for early March, after the elections. However, when organizers brought a notice about the upcoming rally to the authorities, they refused point-blank to accept it for receipt (i.e., they refused to be notified) (*Ingushetiya.Ru, 18.2.2008*)

On March 2, at the same time as the elections of the Russian President, the elections to the People's Assembly, the Republican legislative body in Ingushetia, had been appointed. The election campaign was conducted with the absolute rule of the "United Russia", the "party of power", while the remaining parties followed its lead. On occasion, they sharply criticized the organizers of the street actions. The local branch of the party "Yabloko" was withdrawn from the election campaign, though, granted, it was virtually unnoticed by voters to begin with, and, secondly, it is difficult to name it opposition, because it has never made any attempt to interact with the protest movement. The real opposition in Ingushetia has been marginalized - it exists outside the parties and the elections. The opposition is convinced that the election results in the People's Assembly had been approved by "up to ten percent" and the deputy seats were distributed in advance.

Some observers talk about the obvious teip nature of the current confrontation in Ingushetia: the authorities are from one teip, while other teips are without power and privileges in business, and as result the struggle between different teips overrides the political struggle. Journalists are naturally looking for the usual simple explanations - especially since the pre-election struggle between the parties turned into a farce, and the idea of the Vainakh people is being reduced to the cliché : *"there they have teips and family clans that decide everything"*.

On the other hand, the local opposition activists, in their search for new forms of struggle, have not only implemented modern methods (rallies, monitoring of elections) but also local traditions. The claims against the electoral process were often formulated in traditional terms and concepts. Thus, it was argued that the representatives of the teip of the Yevloyevs held the 24th and 25th seats (of a total 27 seats in parliament) and the representatives of many other teips had not been included to the list of "United Russia" at all. *"In Ingushetia there have always been dominating teips and people employing authority over their fellow citizens. None of them are elected to the new People's Assembly. But, to make up for this, those who are elected do not have any influence and end up, representing the interests of one or two people in the republic "*, - stated the outraged **Magomed Hazbiyev**, one of the opposition leaders belonging to the teip of the Nalgievs, excluded from the lists of the " United Russia "(*expert, 25.2 .2008*). .

Traditional notions have been used not only to describe the situation, but also in the activities of the opposition. Lacking practically any legitimate methods of political struggle, the oppositionists started a legally dubious action - the elections of "an alternative People's Assembly" at a teips meeting. During February, the meetings of the Aushevs, Evloevs, Kartoevs, Haluhaevs, Sultygovs, Ozdoevs, Nalgievs, Kotievs, Kodzoevs etc teips took place. According to the website "Ingushetiya.Ru", hundreds of people participated in each meeting, publicly expressing their mistrust towards the President Zyazikov. They elected their own Delegate (once called "a deputy of the National Assembly"). However, some residents of Ingushetia, belonging to the listed teips, were not aware of the meetings - they said, *"maybe those gathered at the meetings were people belonging*

to one teip not from all over the republic, but from one or a few villages." All the elected "deputies" were proposed to the government for incorporation into the future People's Assembly, - otherwise the organizers of these actions threatened to proclaim their own "alternative People's Assembly" and "work independently, as councils of elders worked in the past " (*Ingushetiya.Ru, 9.2.2008 ; Sobkor ® ru, 4.2.2008, expert, 25.2.2008*).

The opposition appealed also to other Vainakh traditions. Thus, after the arrest of Maksharip Aushev. the delegation of the teip of the Aushevs visited the families Zyazikov and Medovs, asking them to release their relatives. In response, the home of Magomed Aushev, father of Maksharip Aushev, was visited by about fifty policemen, trying to detain the head of the family, but they were pushed out by numerous representatives of the Aushevs (*Ingushetiya.Ru, 15.2.2008; www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m120107.htm*). Naturally, the growth of socio-political tensions in the republic did not remain unnoticed in the Kremlin. Officials at the federal level became regular visitors of Ingushetia, and the results of visits, in a public statement, have been favorable to the leadership of Ingushetia. Thus, **Sergei Stepashin**, chairman of the Accounting Chamber, described to Vladimir Putin the results of the visit to Ingushetia on **21-22 January**, and he also noted the effectiveness of development programs operating there (site of RF Audit Chamber, 22 and 25.1.2008).

Thus, the federal center has clearly identified its attitude towards the situation in the republic – they will not yield to the pressure from below.

Feeling strong support, the president of Ingushetia, as before, has regularly expressed optimism for Ingushetia's economic achievements and the construction of buildings for social institutions and industrial facilities. **On February 26**, the decree of the President of RF **Murat Zyazikov** was awarded with a decoration "For Services to the Motherland" of the IIIth degree - with the wording "*for his outstanding contribution to the socio-economic development of the republic and many years of fruitful work*".

The Ingush authorities did not meet the requirements of the opposition and elections to the People's Assembly were held **on March 2** in the predicted scenario: "United Russia" won a solid victory (74%), and its list has been untouched: there were no members of the opposition among their 20 mandates.

The oppositionists reiterated that they carefully counted all voters, arrived at the polling stations, and they counted a bit over 5700 people. (3.5%).

The staff members of the office of HRC "Memorial" in Nazran watching the recent developments in the Republic believe that both the authorities and the opposition allow clear exaggerations in their propaganda war. **On March 2**, the turnout of voters has hardly reached 90%, but it was obviously more than 3.5%: the authorities have taken into account the extremely low turnout at the December elections to the State Duma and this time voting by students, public sector workers and state officials was assured.

On March 8 "The 5th first emergency Congress of the Ingush people" was appointed. The authorities strongly opposed the assembly, - so, two active organizers of the congress, **Gilani Imagozhev** and **Magomed Hazbiev** were arrested and obliged to pay a fine. According to the Republican prosecutor's office, "the Congress should be convened by the President of the Republic". The human rights activists had to talk with a person who tried to take part in the congress of the Ingush people, announced on **March 8**. All exits of the original venue (*Nazran, Tangieva st., 45*) were blocked by security forces. At another address on Chechenskaya st. in Nazran, he met only 5 - 6 people. Meanwhile, the website "Ingushetiya.Ru" announced that the congress was in fact held on that day, not in *Nazran*, but in the city of *Karabulak*.

On March 12, the unexpected dismissal of all Republican government and heads of the administration of cities and villages by the President of RI **Murat Zyazikov** was initially perceived as a result of the confrontation in the winter. Initially a vague statement about the need to accelerate

the regional economic development was announced. Allegedly, the preceding government was not able to assume this task. However, it soon became clear that the dismissal was caused by a rather formal occasion - the transfer of **Mutsolgov**, President of the Government, to work to the Southern Federal District (YUFO). After that, most officials were reassigned to their former positions.

5. Progress and Problems with Reconstruction in Chechnya

Chechnya continues to quickly recover and rebuild itself. It has been officially declared that Chechnya has moved from the stages of rehabilitation to development, and a relevant three-year program has been adopted. In **early 2008**, the repaired building of the **Khanpashi Nuradilov** Chechen Drama Theater was opened. The Republic's narcotic dispensary was opened. Chechnya is preparing to host its first international film festival. The Republic's stadium had been rebuilt, in which **on March 14** the Russian Championship football match was held, between the highest league teams "Terek" and "Krylya Sovietov." There are projects to start construction of two 24-story business centres in Grozny in 2008. The construction of a big mosque will soon be finished. Bus service between Grozny and the administrative and resort centers of the North Caucasus - Krasnodar, Astrakhan, Rostov, Pyatigorsk, and Kislovodsk – is being established. A modern bus station is planned to be built in the center of the city.

Assembly production of cars VAZ 2105, VAZ 2107 and VAZ 2109, popular in the North Caucasus, is expected to begin in the near future in Gudermes. In January, in the north of Chechnya, a bridge across the Terek River was put into operation, connecting the Naursky and Shelkovskoy regions of the Republic. Infrastructure restoration in the mountainous district of Vedeno is planned for 2008. The village of *Gansol-Chu*, of *Nozhay-Yurtovsky* district, completely destroyed during the hostilities and abandoned by its residents, is now being restored.

The costs of construction are paid both from the federal budget and also from extra-budgetary sources, on credit.

Over 11 billion rubles were allocated to Chechnya on the federal target program in 2007. However, the funds, as in past years, came late, so for 10 months only 52% was used. In **2007**, more than 400 objects were constructed in Grozny, most of which were administrative buildings. The operational headquarters for Grozny's restoration distributed the remaining 672 construction projects, not covered by the federal target program, among ministries, departments and officials of the Chechen Republic, who are looking for funds for reconstruction themselves. According to the Ministry of Construction of the ChR, more than 2500 sites are not covered by the construction program. Next year, these objects are planned to be rebuilt through extra-program activities. If an official, for whatever reason, leaves his post, the construction project is transferred to his successor. For example, the new deputy chairman of the government **Lem Magomadov** should restore eight houses in Mayakovsky Gorodok after the dismissal of his predecessor **Kh. Dzhabrailov** (*Kavkaz-uzel*, 14.2.2008). As a result of the exceptional restoration work by **the end of 2007**, the bill payable to the Chechen Republic reached 19 billion rubles. This debt will be repaid from the federal budget (*Kavkaz-uzel*, 1.11.2007).

Thus, the reconstruction work's furious pace and wide scale are achieved mainly due to other programs - for loan borrowing, for investment by businessmen and officials. As one of the representatives of the society "Spetsstroy of Russia" said to the correspondent of "Kavkaz-Uzel", *"all the work now carried on restoration is outside of the law, it is made not under Labour, but under the Penal Code. The republic is being built thanks to loans and borrowing from outside of the*

program. This is, one can say, a diversion of public funds "(*ibid.*)

Under such a structure, in addition to the possibilities for abuse, problems with the financing of construction projects arise regularly. Thus, the restoration of *Staropromyslovsky district of Grozny*, suspended in the early **summer of 2007** because of the non-payment of salaries to the workers, had been restarted only in **February 2008** (Kavkaz-uzel, 14.2.2008). The problem of arrears of wages for builders is still grave. According to the "*Kavkaz-uzel*", quite a large number of workers have not been paid their wages for **2007** ("*Kavkaz-uzel*", 24.12.2007). According to official statistics, the arrears of wages in Chechnya, though dropped by 14% compared with the mid-2007, however, still amounts to 865 million rubles ("*Kavkaz-uzel*", 28.1.2008).

At the same time as the accelerated construction of houses, the fight against TACs (temporary accommodation centers) has entered its final phase. The TACs are considered by the leadership of the Republic as a breeding-ground of crime and drug addiction. The premises of the TACs are in poor operational condition. In winter, several inhabitants of TACs located in the Poyarkov and Malgobeksky streets were resettled (www.memo.ru/hr/hotpoints/caucas1/msg/2008/01/m119990.htm).

The fate of the inhabitants of the TACs, perhaps the most miserable citizens of Chechnya, has always been a focus of the Human Rights Center "Memorial". On **February 15**, representatives of the administration of Staropromyslovsky district evicted residents from the TACs located in *Mayakovsky St.*, 111, but they failed to present any documents regarding this eviction. Thus, we can see evidence of arbitrariness in their actions, as **G.N. Methayev**, deputy Prosecutor of Staropromyslovsky district of Grozny, said. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m120636.htm). The evicted persons were offered an amount of 18 thousand rubles for renting apartments within a half a year. Social housing is promised to the evicted during this period, as it was stated in certain letters issued. Experience has shown that the given amounts may be not enough to rent an apartment in Grozny and that promises to give housing are often violated. (www.memo.ru/2008/02/20/2002082.html).

In March, a few more TACs, located on *Dudayev Prospect, 15 / 4*, as well as on *Vyborgskaya St.* are planed to be removed. The fate of a number of families living there has not been determined yet. People are also offered 20 thousand rubles for the semi-annual rent and issued letters stating that during this period they will receive an apartment. The residents of TACs are mostly among those whose houses were completely destroyed, or young families, who never had any housing – they fear that they will receive nothing, because they have not received any monetary compensation so far. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m120620.htm).

On February 23, at a meeting with the mayor of Grozny, the President of Chechnya demanded an end to the housing problem. "*We have a huge number of people who have lost housing and property during the hostilities and continue to live with relatives. We must ensure their housing in the near future,*" - **Ramzan Kadyrov** said. In doing so, **Kadyrov** added that if some families needing houses were illegally occupying apartments included in the over-full housing resources, then such families should be allowed to register these apartments officially (*IA Grozny-Inform, 23.2.2008*).

In **2008**, the subject of monetary compensation for housing lost during the hostilities is planned to be virtually closed. The payment of compensations in the amount of 350 thousand rubles started in 2003, but it was suspended several times in connection with the massive abuse and extortion by officials, so for those years about 800 criminal cases were brought forward. Currently, there are some 18 thousand people waiting for compensation, 16 thousand of whom should receive money this year.

On February 2, it was announced that 318 families living in TACs would receive social housing. Before this, a severe inspection was carried out, aimed to suppress all sorts of fraud by citizens, such as pro forma divorce or concealment of existing housing. A special laboratory to find

housing documents has even been purchased, and, just since early 2008, more than 300 applications have already been rejected.

However, in practice, the transformation and resettlement of TACs are not only facing difficulties, but also create new problems. People are tired of moving from place to place, and they often insist on being granted a permanent residence rather than a temporary arrangement. Some families belong to vulnerable categories in need of special care and attention. Families that have grown during the war and can not live together are expected to be satisfied with a little compensation to the entire family, or with rebuilt housing where it is no longer possible to live together. Families that rented houses or lived in dormitories, who looked forward to being granted an apartment by their workplace, remain without any support.

Often, families, resettled from TACs, who were fortunate enough to get apartments, can not actually live in them, because other tenants claim them. Construction on some buildings, which are still being worked on, was begun during the USSR, and there are citizens who have had documents authorizing them to settle there since that time. When IDPs are trying to settle there, another conflict situation occurs.

The same problem arises for those who receive apartments from the so-called "Refused Fund". Despite the fact that they may even have a physical warrant in their hands, they often have to go through a lengthy judicial process to protect their right to housing. Yet, the other party in the process is the owner of the housing, who acquired it from Russian residents who had escaped from Grozny in 1990s. The flats then had been sold very cheaply and without proper documentation, so many of the apartments' owners who had fled from Grozny found themselves entitled to receive compensation for their sold housing, according to the order № 510 of the Russian Government of 30.04.97. Apartments, for which such compensation is received, went to the public housing fund - the so-called "refused Fund". According to official figures, more than 5800 apartments are listed in the refused Fund.

As a result of the emergency solution to the problem of resettling the residents of dormitories, another group of victims has appeared: the owners of the apartments, evicted from housing they bought. The massive seizure of the "refused" apartments creates an acute conflict situation around the resettlement of residents of dormitories and has led to the increased social tensions.

The Human Rights Center "Memorial" has received, from the UNHCR, a list of 62 families to whom the authorities have allocated flats. According to this list, there are problems with 31 flats from this list - people live in them. Another four families have contacted "Memorial" directly. The staff members of HRC "Memorial" visited 35 addresses. 15 apartments are questionable. That means, two or more families have claims to them, or the apartments already have legitimate owners. 8 apartments were unfit for habitation without major repairs. Some of the apartments are currently being repaired, so people can not move into them in the near future. It is possible that, after the repair of these apartments, other legitimate hosts will also appear. Two families are still living in dormitories and waiting for their promised apartments. At 9 addresses, the activists of the HRC "Memorial" were unable to find people nor find out anything about their allocated housing. Only one family is now living in a repaired allocated apartment.

Thus, indeed, for all the rapid reconstruction of housing estate and revival of Chechnya, thousands of people still remain without any shelter or hope for its receipt in the foreseeable future. The problem will not be solved without the participation of the federal authorities in providing houses to the residents of the Chechen Republic.

6. How the authorities of the Chechen Republic are fighting for moral purity

Recently, an increasingly active intervention of State power in all aspects of society, including even citizen's private lives, has become a notable trend in the Chechen Republic. Such actions are carried out under the banner of the "moral regeneration of society". Under this slogan, the religious (Islamic) values and norms of traditional Chechen culture are often imposed administratively. **Ramzan Kadyrov** advocates the introduction of teaching of religion in the schools. In a certain manner it is already happening (*from the interview of R. Kadyrov to the radio station "Echo of Moscow", 31.1.2008*). On Kadyrov's order, a hospital should be founded in Chechnya in which mental disorders will be treated by reading verses from the Koran and using traditional medicine (*Kavkaz-uzel, 29.1.2008*).

This trend of societal Islamization has already been noted in our last bulletin for autumn 2007. Now this trend is only expanding and developing. The teaching of Islam, sharia and Adat is being introduced in the schools and universities without any prior arrangement. Headscarves for girls and women are mandatory for all the women working in official agencies or visiting them. Even a Russian employee of "Memorial" was asked to put on a headscarf at the entrance to one of the universities. In response to a request to present a written order about this policy, the rector for academic work announced: *"Chechnya is an Islamic republic with a national mentality"*. Polls of men and boys show that many agree with stricter control of moral and religious aspects of society. At the same time, many secular people perceive the imposition of Islamic values as irritating. Here the 11th Article of the Chechen Constitution should be reminded: *"1. The Chechen Republic is a secular state. No religion can be instituted as a State or mandatory religion. 2. Religious associations are separate from the State and are all equal before the law."* Certainly, the local executive authorities are entitled to maintain and to promote national traditions and cultural identity within the framework of the law, but the introduction of elements of national dress under compulsion goes far beyond the legal framework. (www.memo.ru/2008/02/22/2202081.htm).

A meeting of **Ramzan Kadyrov** with the leaders of local TV stations of the Chechen Republic had a tinge of scandal. As was reported in the press release of the Information and analytical directorate of the President and Government of the Chechen Republic **on January 9, R. Kadyrov** expressed his displeasure towards the moral level of broadcasts and films shown on Chechen television. The television, in the words of the president, is a powerful tool for moral, ethical and patriotic education of the youth. He demanded that television stations devote some time specifically for religious broadcasts, explaining the foundations of Islam and the harm of the traditional Wahhabism to the population. Similarly, Kadyrov noted that "any TV company ignoring this requirement would be simply closed" (*Gazeta.Ru, 10.1.2008*).

The next day, the Russian and foreign media expanded these statements, particularly noting the connection between the possible closure of a channel and the lack of religious propaganda on it. Then the press service of the President disavowed the former press release, saying that the words of President were incorrectly cited, that perhaps he mentioned the closure of some channels, but these might be caused by violating the law on licensing of demonstrating broadcasts.

In doing so, the authorities of the CR do not realize that the revival of the moral and ethical state of society can hardly be combined with the cult of personality of the President of Chechnya on the same television. At least 80% of news stories on all Republic television channels either directly show the President of the ChR, or they show stories about his activities. Also, even during pieces on other subjects, the majority of speakers appearing on television necessarily insert words of thanks or praise about him. Journalists and editors seem to compete over who will mention the name of **R. Kadyrov** more frequently. Television stations describe, in detail, folk festivals in honor of events from the private life of the President of ChR. There is also virtually no criticism of, or even problematic stories about, life in the Republic.

However, it should be noted that in January 2008, Republic authorities have, once again, launched a campaign against the domination of portraits of **Ramzan Kadyrov** on the streets and roads of Chechnya. The President himself has reminded people from time to time that "*I have not reconstructed Grozny; the whole Chechen people have done it,*" and he has demanded the removal of the "unnecessary" portraits. Several similar past campaigns have ended without any visible results. **On January 23, 2008** at a meeting with the government, **R. Kadyrov** once again demanded that his "extra" portraits be withdrawn from the streets, recognizing that he "he himself is embarrassed", especially for the portraits and national symbols being posted on fences, oil stations, and other improper places. (*the website "Ramzan Akhmatovich Kadyrov ", 23.1.2008*). However, Chechen officials find a fitting rebuff to the modesty of **R. Kadyrov**. Thus, according to the mayor of Grozny, **M. Huchiyev**, people hang portraits of the President on their own initiative and "it would be not quite correct" to prohibit them from doing so (*ITAR-TASS, 24.1.2008*).

This time, some of the portraits, have actually been withdrawn from the streets. However, a large number of portraits of various sizes are hanging anyway.

7. Nalchik: the death of one defendant, lawlessness pressure on the family of another defendant

On March 20, in Nalchik the trial of the suspects, implicated in the October 2005 attack on the city resumed. A new building, connected with a new pre-trial detention center, was constructed in the capital of Kabardino-Balkaria for the specific purpose of holding this trial. There are 59 defendants on the docket. More than 400 victims and 2000 witnesses are participating in the process.

The court has been postponed many times, and the hearings on the merits of the case have not begun yet. The suspension of many months is due to the request of the defense to verify the facts that during the investigation the confessions of the accused people were received using illegal methods. The lawyers of the defendants have said that all their complaints of torture applied during the investigation were rejected by prosecutors.

Meanwhile, the long delay in the trial was marked by two events allowing the suggestion that the complaints about the use of illegal methods against the defendants have a basis and are still important now.

One of the defendants, **Bolov Valery Ruslanovich**, died from a severe, chronic liver disease, cirrhosis. There is reason to believe that the deadly disease of the defendant has evolved during the investigation and became incurable because of a lack of necessary medical assistance to him. According to the information of the Human Rights Center "Memorial", **Bolov**, accused of involvement in the attack on a regiment of the Patrol Service of the Ministry of the Interior of the city of Nalchik of Kabardino-Balkaria on October 13, 2005, had, before his detention been sick with a non-dangerous form of hepatitis, which, while in detention degenerated into Hepatitis C. **Bolov** was not provided any medical assistance, despite his repeated requests. Consequently, this disease has caused liver cirrhosis. The diagnosis of hepatitis C and liver cirrhosis was established for **Bolov**, already arrested, during the investigation activities only a month before his death, when it was already impossible to provide any effective medical care. His measure of preventive punishment was changed on the written undertaking to remain in detention, but on 16 February **Bolov** died. It should be noted that beatings, of which many other defendants complained, can contribute to the development of cirrhosis from hepatitis C.

The **Valery Bolov's** lawyer plans to continue to participate in the process and achieve his

full rehabilitation as an innocent defendant. Meanwhile, according to the lawyers of the defendants, several more people suffer from the same disease that Bolov did: **Kasiyev, Kudayev, Sasikov** and others, but no help is being provided to them.

There is information about unprecedented severe pressure on the family of another defendant, **Rasul Kudayev**. On February 14, 2007 at about 12 p.m. in the suburb of *Nalchik in the village of Hassanya*, unidentified masked men seized **Fatima Tekayeva**, mother of **Rasul Kudayev**, accused of involvement in the attack on Nalchik in October 2005. The case of the attack on Nalchik is currently being examined by the Supreme Court of the Republic of Kabardino-Balkarian. Several human rights organizations included **Rasul Kudayev** in their lists of political prisoners.

Fatima Tekayeva was taken to the premises of the Centre "T" (the structure in the system of the Ministry of Internal Affairs of the Russian Federation that deals with counter-terrorism), where she was illegally detained for six hours, and interrogated by unidentified masked men.

At the same time, the employees of security agencies entered Tekayeva's house. Her son Arsen Mokaev was also illegally detained, taken to the center "T" and beaten. The following objects were seized from their home: a computer, religious books, documents, including medical ones, letters and even 524 volumes of the indictment in the case of **Rasul Kudayev**. Search and seizure were conducted in violation of procedural rules. The collected evidence allows for the suggestion, with a high degree of certainty, that the law enforcement officials were preparing a provocation towards the illegally detained mother and son. Perhaps the law enforcement officials should have "found" ammunition in the courtyard of the house. But, thanks to the neighbors of **Fatima Tekayeva** and **Arsen Mokayev**, this provocation against them failed.

Defending her son, **Fatima Tekayeva** has communicated with many Russian and foreign journalists, human rights organizations. She is constantly drawing attention to the facts of the violations of human rights that have occurred during the investigation of the attacks on public institutions in the city of Nalchik in October 2005. It seems that she and her second son, **Arsen**, are being subjected to constant pressure over this issue.

It should be remembered that **Rasul Kudayev** is a former prisoner of the U.S. Guantanamo base. He was transferred to Russia in 2004. He has been accused of assaulting the capital of Kabardino-Balkaria. Meanwhile, Kudayev, after returning to Russia, was in a dire state of health, moved independently with difficulty and was unlikely able to participate in an attack on policemen. The defense believes that Kudayev has an alibi. Moreover, he, like all former Guantanamo prisoners who were returned to Russia, was under the constant supervision of security agencies. There is incontrovertible evidence that Rasul Kudayev was tortured after his arrest, during the preliminary investigation. Several human rights organizations included **Rasul Kudayev** in their lists of Russian political prisoners. The Human Rights Centre "Memorial" has provided a lawyer, **Magomed Abubakarov**, to Kudayev, in order to protect his interests in the judicial process and to institute criminal proceedings on the facts of the torture applied to him (www.memo.ru/2008/02/17/1702081.htm).

Since the beginning of the legal process itself is constantly delayed, the media mainly cover events related to the case. Notably, most of these relate to human rights issues. The last of them was a complaint on *March 5* by one of the defendants, **Zaur Tohov**, stating that officers of PTDC tried to strangle him (the names of the officers are mentioned). The result is typical: *On March 19* Nalchik's City Court refused to satisfy the appeal of his lawyer, Larisa Dorogova, to recognize as illegal the actions of the officers of PTDC (pre-trial detention center) of Nalchik, capital of Kabardino-Balkaria, who did not allow her to see the defendant **Zaur Tohov** nor to provide him with legal assistance.

8. Trials.

On February 8, 2008 the garrison military court of Grozny passed its sentence on the case of **Alexey Korgun**, the Lieutenant of the Internal Troops of the Russian Ministry of Internal Affairs. *On March 24, 2007*, the intelligence group of the Internal troops under the command of Korgun bombarded three local residents in woodland near the village of Urdyukhoy of Shatoysky district. The women were gathering wood garlic. One woman was killed, two others were injured (one of them subsequently became disabled). Later, the officers said that they had opened fire on the women, having falsely recognizing them as militants. The women managed to call their relatives in the village on cell phones, and they yelled at the officers of the intelligence group when they started to go closer to them. Realizing the error, **Alexey Korgun** tried to help the victims.

The court passed an accusatory sentence but inflicted only conditional punishment on Korgun - 3 years of imprisonment, which outraged many residents of Chechnya who consider the verdict unfair. "The Court simply saved the murderer from punishment, and we won't tolerate this", - said, in particular, the Commissioner for Human Rights in Chechnya, **Nurdi Nukhazhiev** (*"Kommersant"*, 9.2.2008). It should be noted that **Alexey Korgun** made every effort to alleviate the pain of the victims. Although the court did not obligate him to, he paid a significant amount for the education of the young daughter of **Khaldat Mutakova**. Korgun also became the first Russian officer to ask forgiveness from his victims and their relatives. Despite their discontent with the verdict, the victims are not going to appeal the court's decision. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m120619.htm).

On December 27, 2007 the trial on **Arakcheyev** and **Hudyakov**, officers of Internal Troops of RF accused in the shootings on **January 15, 2003** of three residents of Chechnya, has ended with the usual scenario. They were sentenced to 15 and 17 years of imprisonment in a colony with a strict regime, but just before the sentence was declared, Khudyakov escaped to an unknown destination. "This is just a farce! -- noted Natalya Estemirova, staff member of the Chechen Office of Human Rights Centre "Memorial". - *"The defendants should have been taken under detention long time ago. It was clear that they would try to escape, as did the defendants in the case of Captain Ulman"* (Kavkaz-Uzel, 14.1.2008).

The investigation into the case of the undermining of the train "Nevsky Express" has continued. *On December 13*, it became known that **Amirkhan** and **Maksharip Hidriyev**, the main suspects in this case (see our previous Bulletin), refused the services of lawyers hired by their brother **Ayup Hidriev**. The latter doubted the voluntariness of such a refusal, and **Yunusov Murad**, **Maksharip Hidriyev's** lawyer, also said that he has not seen any handwritten statement by his client proving that he renounced his services. It should be remembered that, earlier, the colleagues and lawyers of the brothers Hidriyev presented the investigation with a list of witnesses who could confirm that the suspect had been inside the territory of *Ingushetia* a day before the terrorist attack, but the investigation failed to verify this alibi ("Kavkaz-uzel", 14.12.2007).

There are now new persons involved in the case whose names have not been disclosed by the police. It was just announced that on **December 18**, FSB officers detained two suspects in *Nazran* (RIA Novosti, 18.12.2007). According to the website "Ingushetiya.Ru", the names of the detained were **Salambek Zagiyev (Dzagiev)** and **Bashir Kotiyev** (*Ingushetiya.Ru*, 18.12.2007). According to the version on the website, the detention took place according to the usual scenario: a group of siloviks from *North Ossetia* captured two young men in the center of Nazran, but they were detained at the outpost of GIBDD (Traffic police) at the frontier between two republics, and then delivered to the GOVD in Nazran. Zagiyev was severely beaten. Later Kotiyev was released, but Zagiev, as a suspect in the undermining of the "Nevsky Express," was sent to *Vladikavkaz*.

Meanwhile, *on February 28, 2008*, another person accused of terrorism was acquitted, whose guilt the prosecution failed to prove in the court, because the system was built not on carefully collected evidence but on the personal confessions of the accused, given, as it turned out, under torture. 21 year-old **Sultan Arslangereyev** was accused by the Supreme Court of Dagestan of murder motivated by "religious hatred" of **Dagir Kachayev**, imam of one of the mosques of Makhachkala *in February 2007*. **Aziz Kurbanov** and **Sergei Kvasov**, lawyers of the defendant, drew the Court's attention to the many inconsistencies and flubs in the case of **Arslangereyev**, in particular that the legally precise wording of his testimony clearly does not belong to the defendant. S. Arslangereyev said in court that he slandered himself under torture and death threats against his family. According to Arslangereyev, he and his wife, who was five months pregnant at the time, were abducted by police officers on *May 12, 2007*. A few days later, his wife was released, and he spent a month in detention and was discovered in the forest by the police of Novolaksky ROVD. A jury acquitted the defendant after the short meeting. (*Kommersant, 29.2.2008*)

9. Recent decisions of the European Court of Human Rights.

Khatsiyeva and others v. Russia

On January 17, 2008, the ECHR ruled, for the first time, on a case of human rights violation in the Republic of Ingushetia: the killing of two civilians near the *village of Arshty in Ingushetia, committed in August 2000*. Lawyers of the organization "Legal Initiative for Russia" represented the interests of the claimants.

The court found that *on August 6, 2000*, a group of residents of the village of *Arshty in Ingushetia*, which had been engaged in agricultural work, was unjustly fired on by helicopters. As a result of this attack, Khalid Khatsiyev and Kazbek Akiyev were killed. In its decision, the Court unanimously found that Khatsiyev and Akiyev were killed by representatives of the government, and state authorities failed to prove a need for the use of force resulting in death. Consequently, the Russian authorities are responsible for their deaths (a violation of article 2 of the European Convention on Human Rights and Fundamental Freedoms); Russian authorities have not conducted a proper investigation of the murder (Article 2), and the claimants did not have access to effective remedies of protection against the above mentioned violations (Article 13). The court awarded 100 000 euros as compensation for moral damage to the relatives. (www.srji.org/news/2008/01/39)

Zubayrayev against Russia.

The complainant, **Adam Zubayrayev**, is a citizen of Russia, born in 1967, who currently lives in *Nice (France)*. Until **1999**, he lived in the village of *Starye Atagi (Chechnya)*. The complaint concerns the killing of his father, **Salaudi Zubayrayev**, committed on September 17, 2000 by armed men. **Malika Zubayrayeva**, the mother of the applicant, said that on that day the family was woken up by a loud shouting early in the morning. A large group of men dressed in camouflage entered the house, all of whom spoke in Russian without any accent. Malika decided that these people must belong to the Russian security agencies. All the inhabitants of the house were brought out onto the street.

The complainant said that the men lined them all up in the courtyard with their faces to the wall and seized their passports. His father was taken away. Later, his body was discovered near his home, with his head shot through. **On September 18, 2000**, a Russian TV channel announced on its news program that **Salaudi Zubayrayev** had been killed by some religious extremists (Wahhabists) the night before, in the village of *Starye Atagi*.

The criminal case on the killing was instituted. After two months of investigation, it was

suspended because of an inability to find suspects. **On March 9, 2001** a complaint was lodged to the European Court of Human Rights. **In September 2004**, after the State was informed about the complaint, the investigation was reopened. For the first time, witnesses were questioned. **In October 2004**, some relatives of the deceased were granted the status of victim.

On September 28, 2006, the complaint was recognized as partly admissible. The European Court has not found any sufficient grounds to assert that the murder of **Salaudi Zubayraev** was committed by federal armed forces of the Russian Federation. There were no witnesses in the case of Salaudi Zubayraev, other than the mother of the applicant, who stated that the killers were dressed in camouflage and spoke Russian. On the other hand, the Court recognized that the State failed to conduct an effective investigation of the murder (violation of the Art. 2 of the Convention) and did not provide any effective remedies of protection to the victim (violation of Art. 13). Therefore, the applicant was awarded a small sum - 8 thousand euros as compensation of moral damages, which should be paid by the Russian Federation.

10. Human rights organizations and the authorities.

On 12 and 13 February, first in Moscow and then in Nazran, the Human Rights Center "Memorial" presented to the public and journalists the 80-page report "Ingushetia 2007: what next?" ([Www.memo.ru/2008/02/12/1202081.htm](http://www.memo.ru/2008/02/12/1202081.htm)). The report was an attempt to systematize all available information about violations of human rights in Ingushetia in the year 2007 and to show the mechanisms of escalating violence. The press conference took place in the office of "Memorial" in Nazran; it was attended not only by employees of "Memorial" (**Oleg Orlov, Ekaterina Sokiryanskaya, Tamerlan Akiyev, Isa Gandarov**), but also by the invited guests - Deputy Prosecutor of RI **Pavel Anatolievich Belyakov**, deputy Minister of the Interior of RI **Vadim Nikolayevich Selivanov**, the Commissioner for Human Rights under the President of RI **Kerim-Sultan Kokurkhayev**, deputy head of the Investigation Committee of the Investigation Department of the Prosecutor's office in the Russian Federation for RI **Usman Belkharoev**, the staff members of the Ministry for Nationalities of RI, as well as representatives of non-governmental organizations, relatives of abducted and killed residents of Ingushetia, and the local and federal media. (www.memo.ru/hr/hotpoints/caucas1/msg/2008/02/m120000.htm).

The report notes, in particular, an unprecedented escalation of violence in the Republic this year, a large number of grave, massive human rights violations taking place under the aegis of combating terrorism. In the summer and autumn of 2007, as is noted in the report, there was a grave destabilization of the situation. Cleansings, kidnappings, and extra judicial executions have become systematic, which increasingly undermines public confidence towards the authorities. The report not only gives an estimation of the current situation, but it also warns about Ingushetia's bleak prospects and the systemic crisis of social relations in the region in the case of further escalation of violence. At that, **Tamerlan Akiyev**, the Memorial employee presenting the reports in Nazran, said: *"we are not questioning the need to combat terrorism, but this struggle must be carried out in keeping with Russian law and Russia's international obligations to respect human rights"*.

There was no official reaction from the Ingush authorities to the report, although we can not say that there was no reaction at all. On one hand, **on February 20**, the official website of the parliament of Ingushetia placed a text by Sergey Spiridonov which stated, "Human rights activists justified jihad," with the subtitle "Provocation of the Center "Memorial"" (http://www.parlamentri.ru/index.php?news_id=304&start=0&category_id=&parent_id=&arcyear=&arcmonth=), previously published on the website "Segodnya.Ru". The content was in accordance with the title of the article: "Memorial" was accused of *"scavenging like jackals for funds"*.

from foreign embassies" together with other "enemies of Russia". On the other hand, on **21 February** the report *"On the outcome of the work of the Temporary Commission of the National Assembly of the Republic of Ingushetia on the checking of the facts of violations of human rights in the Republic of Ingushetia"* was promulgated. This commission, in contrast, came to the same conclusions as "Memorial". The official status of that report is also uncertain: it is signed by the People's Assembly deputies, but not posted on its official website (this report available on the website of "Kavkaz-uzel": <http://www.kavkaz-uzel.ru/analyticstext/analytics/id/1208401.html>).

In late winter, the relationship between the Human Rights Center "Memorial" and Chechen authorities, which had been very reserved until recently, has considerably changed. On **February 22**, on the initiative of the President of Chechnya, Ramzan Kadyrov, a meeting between him and activists from the Human Rights Centre "Memorial" took place in the House of Government.

The meeting was attended by the deputy of the State Duma **Adam Delimkhanov**, speaker of the lower house of the Parliament of Chechnya **Dukuvakha Abdurakhmanov**, head of the Presidential Administration and the Government of the Chechen Republic **Abdulkahir Izrailov**, Commissioner for Human Rights in the Chechen Republic **Nurdi Nukhazhyiev**, Minister of the Interior of CR **Ruslan Alkhanov**, Minister for External Relations, National Policy, Press and Information of CR **Shamsail Saraliyev**, and the head of the administration of Grozny of **Muslim Huchiyev**.

From "Memorial's" side, the meeting was attended by the chairman of the Directorate of the Human Rights Center "Memorial" **Oleg Orlov**, a member of the Council of the Human Rights Center "Memorial" **Svetlana Gannushkina**, as well as leaders of the offices of "Memorial" in Chechnya and Ingushetia: **Ekaterina Sokiryanskaya**, **Dokka Itslayev**, **Lilya Yusupova**, **Sultan Irbaiyev**, **Shahman Akbulatov**, **Natalya Estemirova**.

The range of the issues to be discussed had been agreed the evening before, on February 21, at a preliminary meeting of the Chechen President **R. Kadyrov** with **O. Orlov**, **S. Gannushkina** and **E. Sokiryanskaya**. The meeting took place at the residence of the president in the city of Gudermes.

Specifically, the following issues were discussed:

- the principles of human rights organizations;
- the possibility of retrials for criminal cases fabricated against the inhabitants of the Chechen Republic;
- the cruel treatment of detainees from the Chechen Republic in places of detention outside the Republic;
- impunity for serious crimes committed in the Chechen Republic, and the non-investigations of crimes perpetrated by officers of security agencies towards the inhabitants of the Chechen Republic;
- the problem of disappeared persons (the lack of investigation of abductions, identification of corpses);
- Torture and falsification of criminal cases;
- Illegal places of detention in the Chechen Republic;
- Internally displaced persons in the Chechen Republic and the resettlement of the temporary accommodation centers (TACs);
- The return of residents in the mountain villages;
- The situation of Chechens outside the Chechen Republic.

Speaking about the human rights situation in the Chechen Republic, representatives of the Human Rights Center "Memorial" noted notable progress in this area over the past year and a half. However, they talked about the serious human rights violations which still occur, the thousands of

disappeared people over the years, the impunity for crimes against civilians, etc.

Some similar points of view held by both Chechen authorities and human rights activists on some issues, and some similar possible approaches for resolving these issues, were revealed as a result of this discussion. The main outcome of the meetings was, in the opinion of the Human Rights Center "Memorial," the declared readiness of both parties to cooperate in order to improve the human rights situation in the Chechen Republic.

Closing the meeting on 22 February, the president of the Chechen Republic invited the participants to meet again a month later to review the planned joint actions. According to the results of the meeting, Ramzan Kadyrov gave a number of orders to his subordinates, some of which were executed immediately. Thus, on that same day, the mayor of Grozny, **Muslim Khuchiyev**, went with members of the Human Rights Center "Memorial" to verify information on cases of violations of the rights of internally displaced persons and returned refugees (including regarding their resettlement from TACs), with the task of solving the problem if the information was true. The checkers visited a number of families that were evicted from TACs and detected two cases requiring immediate intervention. **By February 26**, one family had already been allocated an apartment.

On the same day, complaints were investigated from a resident of the village called "Shanghai" in Zavodsky district of Grozny, autocratically constructed by its residents many years ago. "Memorial" has been following the situation around this village closely for a long time. (See: www.memo.ru/hr/hotpoints/caucas1/msg/2007/04/m89699.htm; www.memo.ru/hr/hotpoints/caucas1/msg/2007/04/m75580.htm; www.memo.ru/hr/hotpoints/caucas1/msg/2007/04/m78470.htm)

The complaint alleged that the villagers were evicted into the street. However, when checking, it turned out that this was not true: the administration of Grozny had already allocated 16 apartments and 26 lands to the residents of the village according to the wishes of the residents, as well as construction materials. The complainant herself has already received an apartment, a land and building materials.

Some serious organizational matters were decided. In particular, an employee of the office of the Human Rights Center "Memorial" in Grozny, **Natalya Estemirova** was included to the Public Council to assist in the provision of human and civil rights, established by the decree of the President of the Chechen Republic of **December 7, 2007**. In addition, some joint steps were planned, regarding the initiative of the Commissioner for Human Rights in the Chechen Republic, **N. Nukhazhiyev**, about the need of an interdepartmental commission to find citizens who were abducted and disappeared in the Chechen Republic, for inclusion in its membership of representatives of human rights NGOs.

It was also proposed to establish a joint commission of representatives from government bodies and NGOs in order to supervise the investigation of crimes committed by officers of the security agencies of the Chechen Republic. The representatives of the Human Rights Center "Memorial" and the Human Rights Commissioner in the Chechen Republic pledged to take joint steps to seek verification of the circumstances of prosecutorial investigation into complaints of torture.

The meeting ended with a decision to maintain close cooperation in further activities. How this will actually occur - time will tell. So far - as of March 2008 - no significant progress occurred in this area: the Public Council exists only formally and has not distinguished itself with anything useful; As it turned out, the apartments allocated to two Grozny families (**Gaurgashvili** and **Maskiyev**), immediately after the meeting of the President of Chechnya with human rights activists, were already occupied by other families and the struggle for their possession is still to come. Even the complainant from the village of "Shanghai," shown on all Chechen official media, as it turned out, had to rebuild her very modest housing mostly at her own expense, and the flat allocated to her was also already occupied.