

THE FIRST INDEPENDENT MAGAZINE ABOUT EVENTS IN THE CAUCASUS

WORD

DOSH

DIGEST



**IGOR
KALYAPIN**

**AS LONG AS
PEOPLE TURN
TO US FOR HELP,
WE WILL CONTINUE
WORKING IN CHECHNYA**

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Over the past decade, the demographic problem has become a major topic of discussion throughout the nation. Top government officials and famous politicians include this problem in their political platforms, discussing it on numerous talk shows. The population of the Russian Federation is aging. Government measures for increasing the birthrate are not having a significant effect — in many regions of the country, population growth remains very low.



LAYLA IBRAGIMOVA

"HE GOT WHAT HE DESERVED"

A murdered member of the opposition has been declared a militant

Habitually scanning the headlines in the Caucasian newsfeed, I stopped on the following: February 13, 2013 — "FSB confirms liquidation of militant in Nazran."

That very evening, I discovered that this "militant" was none other than Sultan-Girey Khashagulgov! The same tall and gaunt Mr. Khashagulgov who was an Ingush construction entrepreneur and former deputy minister of the republic's Ministry of Construction and who, after leaving his post, became a high-profile member of the opposition. I remember taking tea with his family in his beautiful, welcoming house during yet another one of my visits to the region.

The Caucasus is the kind of place where one must always be prepared to discover that any somewhat famous person — or really any person at all — may be tortured, shot, abducted, killed and then posthumously declared to be whatever the authorities wish him to be.

When it comes to Mr. Khashagulgov's, this is no hyperbole.

Following his death, which supposedly happened as he was "resisting arrest," Yunus-Bek Yevkurov, the head of Ingushetia, described the deceased as a bandit, terrorist, villain and the perpe-

trator of many of the tragedies that have taken place in the republic. However, let us look several years into the past, to 2008.

The populace was simmering with discontent. Ingushetia had been plunged into the economic abyss during the term of the outgoing president, Murat Zyazikov. Working as an activist, Mr. Khashagulgov tried to represent the interests of both business and everyday citizens, rallying people to take to the streets.

In 2009, not long after Mr. Yevkurov was appointed head of the republic, Mr. Khashagulgov was invited to work with the republican government. He agreed and was appointed Deputy Minister of Construction.

During his supervision of construction projects, contractors would trust him even when they were owed back pay. An energetic and effective manager, Mr. Khashagulgov knew how to overcome difficult situations.

Mr. Khashagulgov spent nearly two years occupying a senior post in Yevkurov's administration. He performed duties which required high responsibility and took part in vitally important projects.



"I won't be imprisoned; I will be killed."

And all of a sudden it turns out he was a terrorist! Right under Yevkurov's nose, as it were. How is it, Mr. Yevkurov, that you didn't notice this earlier?

Back then though, the construction minister's career had a worse ending than that of his deputy. Mr. Khashagulgov was asked to retire, while the minister he was deputizing for was shot — in his own office — by terrorists. (Who else?) Of course, later on, ominous rumors began circulating that the Ministry, or rather its administration, had borrowed millions from some wealthy individuals. And these were not millions of roubles. Nor were they borrowed for the administration: but for Mr. Yevkurov himself.

This affair turned out to be a terrible tragedy for Mr. Khashagulgov's large and well-respected family.

First came the loss of work and business. Then, Mr. Khashagulgov's brother Isa was suddenly accused of having plotted the Vladikavkaz market bombing and was declared to be Dokka Umarov's right-hand man. To be fair,

the bombing nonsense was eventually dropped from the case, but Isa was by then already in the clutches of the Center for Countering Extremism.

He is still there, in a Vladikavkaz remand prison. There has been no trial and his detention has been extended for another six months.

Such is the value placed on working with Yevkurov's team.

Meanwhile, Isa Khashagulgov's wife, Pyatimat, publicized information showing that the debts had been incurred for the head of the republic, along with all the relevant figures, dates and names. She also decided to publish an interview of hers on the Internet. Three days later she called us: "Take the video down! I am receiving threats and fear for my children's lives." However, if you think that this is the extent of what awaits an individual who has worked effectively for the government of Ingushetia, you would be sadly mistaken.

Having been left to fend for herself and her children without any financial or physical support, Pyatimat is to this day considering whether she should allow them to go to school or not. Their house is under constant surveillance; detectives in black cars shadow her children. Furthermore, the house was subject to "an extreme ransacking."

Arkady Avdeyev — special investigator for the Department of Internal Affairs and a lieutenant colonel of justice under the Main Investigations Directorate of the Russian Investigative Committee — complained that the annoying Mrs. Khashagulgov was submitting too many complaints concerning her husband's case and the property that had been confiscated supposedly "for further investigation." He is tired of her, in

Not a single concrete fact, date or name crossed the investigator's lips. Yet, of course, Mr. Khashagulgov's detainment was extended from hearing to hearing. And no one was in the slightest bit interested in such insignificant details as the utter absence of any grounds for detaining Mr. Khashagulgov under guard. The only problem was that Mrs. Khashagulgov invited some reporters to one of the hearings.

other words, but it's too easy to just put her in prison — let the woman find peace and tranquility on her own.

The same day that Mrs. Khashagulgov's house was being searched — and, by the way, it is still unclear what the subject of the search was, as the report has never been released — security personnel also arrested another one of Mr. Khashagulgov's brothers, the businessman Yakub. The charges had it all — weapons, connections... According to relatives, he was beaten and injected with something.

Along the way, his car was impounded. Later, it was used to surveil Sultan-Girey Khashagulgov — all the way until his murder.

Isa Khashagulgov's car suffered the same fate two-and-a-half years earlier. During his arrest, his car was confiscated supposedly for "further investigation." Afterward, unknown but clearly security-affiliated people would be seen driving it all around Ingushetia, utterly out in the open and without even having changed the license plates.

It is impossible to extract any comment on Isa Khashagulgov's case from the investigators. During the first days following Mr. Khashagulgov's detainment, when he was being taken to court in Moscow in order to extend his detainment, Special Investigator Fityukov would babble various nonsense in court about how Mr. Khashagulgov was implicated in terror acts, how he had been equipped by the insurgency and how he was involved in certain ongoing cases, as well as god knows what else.

Not a single concrete fact, date or name crossed the investigator's lips. Yet, of course, Mr. Khashagulgov's detainment was extended from hearing to hearing. And no one was in the slightest bit interested in such insignificant details as the utter absence of any grounds for detaining Mr. Khashagulgov under guard. The only problem was that Mrs. Khashagulgov invited some reporters to one of the hearings.

And then, Mr. Fityukov's gibberish became public knowledge.

The press was not allowed to attend the subsequent session and Mr. Khashagulgov was whisked from the Moscow public's eye to Vladikavkaz.

In an interview, Mr. Yevkurov claims that Sultan-Girey Khashagulgov "got what he deserved." However, he is not currently — nor ever has been — under investigation, nor have any charges ever been filed against him. Mr. Yevkurov knows this, which begs the questions of how he would know whether Mr. Khashagulgov "got what he deserved" or not?

Mr. Khashagulgov himself did a fine job of partially explaining the situation when, the day before his death, he told French radio that "I won't be imprisoned; I will be killed." He knew this and made no attempt to hide. Perhaps he simply got tired of pointlessly struggling in the topsy-turvy world of the present-day Caucasus, where one must pay for one's right to live with humiliation and where everyone, including the populace, is simply waiting patiently for the situation to improve.

ABDULLA DUDUEV A TERRITORY OF LIMITED LEGAL FORCE AND EFFECT



Having killed Mr. Mankiev and Mr. Mestoev, the soldiers blew up the house

The following stereotype has entrenched itself into the mind of Russian society: The North Caucasus is a special place where Russian law does not apply — sometimes in part and sometimes in full. This is to some degree an accurate assessment, but those who espouse this belief occasionally seem to be unaware of the true causes for this state of affairs.

In the Caucasus, legal norms are not flouted because the people here are

less law-abiding than in other parts of the country, but because, first of all, those who are tasked with enforcing the law are the same ones who violate it in the most glaring ways. Of course, this is not exclusively a Caucasian problem, but here people suffer from the lawlessness much more than in other regions of Russia.

Starting from the First Chechen War, the transgressions committed by the federal forces deployed in the

republics of the North Caucasus have become everyday occurrences; this is further compounded by the investigative agencies willfully overlooking the unlawful actions of federal and local police.

We are often forced to write about so-called "special operations," during which innocent people are forcibly disappeared or murdered.

Accusing their victims of being mili-

tants is a favorite tactic of the security forces, who know that the people or relatives whom they accuse — who are either being tortured or dead — are unable to prove the opposite. The Head of Ingushetia happily employs this same tactic, besmirching an abducted, perhaps already dead person without providing a shred of evidence.

At the same time, Mr. Yevkurov cultivates an aura of the elder statesman, often meeting with various human rights and social activists for an earnest chat over tea. Afterward, they claim that he is doing everything he can but simply lacks the necessary powers, as the security agencies are ultimately subordinate to the federal center and not him, a humble leader of the republic.

What can one say to that? The story is both advantageous and credible. And yet, Mr. Yevkurov himself — the former GRU general and hero of Prishtina and Chechnya — brushes away such a state of affairs. Accordingly, when asked in an April 24 interview with Gazeta.Ru, "Do you have the requisite authority to effectively control the MVD and FSB in Ingushetia?" Mr. Yevkurov responded, "When I say that these law enforcement agencies are not subordinate to me, that does not mean that they act in the republic without either notifying the authorities or getting their permission. First of all, we oversee all special operations. Secondly, I knew ahead of time about this special operation [of April 4 in Dolakovo, which is further discussed below — Ed.]. I did not know the address but I knew that it was to be in Dolakovo. I knew whom the agents would be looking for and even that they didn't find one of the suspects. What's more is that I was briefed about the operation's beginning and conclusion, since I am the one in charge here."

"Son of a bitch! This is the wrong house..."

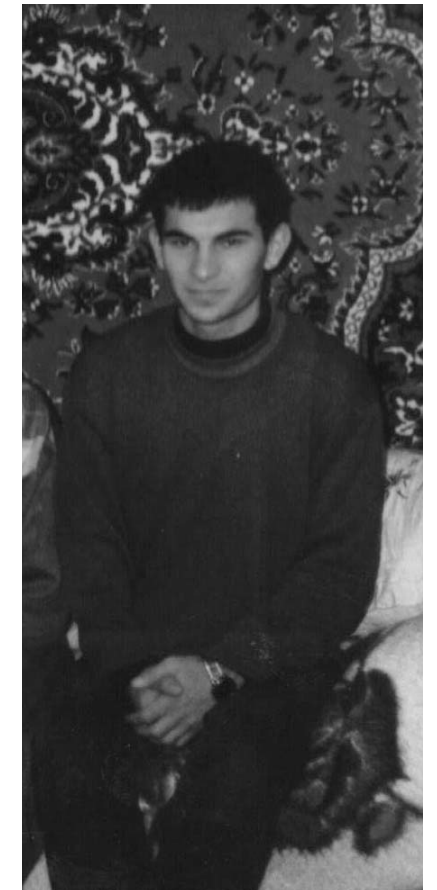
Around five o'clock on the morning of April 8, one of the streets in the small Ingush village of Dolakovo was occupied by a detachment of soldiers armed to the teeth and their armored personnel carriers. It was as if the street was some unassailable strategic objective whose capture required a full-blown assault.

Khavazh Ozdoev, 31 years old, always left his house at 35 ul. Kombileyskaya to go to work when it was still dark out. He tended the boiler at the local school and had to start the fire early so that there would be heat by the time classes began.

On this ill-fated day, he had barely left his courtyard and closed the gate behind himself when a machine gun opened fire. Mr. Ozdoev was hit in the back and killed on the spot. His younger brother, Adam Ozdoev, rushed out of the house and, seeing the soldiers and Khavazh lying on the ground dead, turned and ran from the gate. As he did so, he spotted his cousin, Artur Pliev, who had gotten up for his morning prayer, but hearing noise, had rushed to his relatives' house.

Adam yelled to Artur to get away from the gates and run for the vegetable garden. At that moment a shot rang out. Adam fell wounded but managed to stumble to his feet and run on. More shots followed and Artur fell dead.

Zareta Ozdoeva witnessed the shooting of her brother and cousin. She explains that she ran to the gates despite the soldiers' shouts and curses demanding that she stayed back. Perhaps due to shock, the young woman did not heed them. Having



Khavazh Ozdoev was shot in the back

run up to the gates, she opened them and asked, "Who are you and what are you doing?" Instead of answering, one of the soldiers pointed at the dead man and asked, "Is this Mestoev?"

"No, this is my brother Khavazh Ozdoev," replied Ms. Ozdoeva. Then, according to her, the soldier said that Khavazh had fired at him with an assault rifle. The woman demanded that the soldiers look at her brother: "He didn't have any weapons. He was lying supine with his arms stretched upward, which confirms that they had shot him in his back. Further proof was that the gunshot wounds were in his back and leg. The head wound was a final finishing shot to the head, around his left ear. Altogether, the soldiers fired no more than twenty shots in our yard," Ms. Ozdoeva recounts.

According to Ms. Ozdoeva, when she wanted to flip her brother's body to show the soldiers that he was unarmed, the soldiers forbade her from approaching. And later, according to the victim's sister, the murderers dragged his body away. In the subsequent days, a video was uploaded to the Internet which showed Khavazh Ozdoev lying in an entirely different position, next to a silenced handgun.

Having committed two murders, the soldiers decided to blow up the Ozdoevs' house. However, Ms. Ozdoeva disrupted their plans. She talked them into searching the house to ascertain that there was nothing dangerous inside. The soldiers were afraid to enter the house and agreed only under the condition that the girl would walk ahead of them, basically as a human shield.

"One of them kept radioing someone and reporting that everything was clear," Ms. Ozdoeva explains. "We

walked through all the rooms. When we approached the garage, one of the soldiers made a horrible face, began swearing and said into his walkie-talkie, 'Son of a bitch! This is the wrong house! We needed the second house from the left corner of the block. This is the second house from the right corner.'"

Ms. Ozdoeva and her ailing mother were escorted from the premises and not allowed to return home until four in the afternoon. During that entire time, the uninvited guests did as they pleased inside, pilfering anything of value. Let us recapitulate: Having mistakenly shot two wholly innocent people, the soldiers did not dare to enter their victims' residence and only did so once they could hide behind a young woman; then, having ascertained that there was no threat to them, they instantly began to loot the place. Let us likewise emphasize that they did so without the least compunction that the house in question was not even the one they were sent to raid.

The Ozdoevs claim that the soldiers with whom they interacted were drunk — that is, they reeked of alcohol.

Some time later, witnesses told the Ozdoevs that the younger brother, Adam (by the way, he too worked at the Dolakov school, as an IT teacher), who had been wounded and taken to the Nazran Central Clinical Hospital by two security agents, was removed from there by the very same soldiers, after his wounds had been dressed. They took him despite the fact that he was wounded, half-conscious and calling for his dead brother deliriously. Since then, his relatives have been unable to ascertain where Adam was taken or his present whereabouts. Aishat Ozdoeva is disabled. She can-

not walk around without un-assisted. Twenty years ago, she was forced to flee the Prigorodny District of North Ossetia during the Ossetian-Ingush Conflict, abandoning everything she had built over many years in order to save her children. She raised them on her own. She had been widowed when the children were still young. And when she had finally raised them (the sons were planning on starting families), she lost both — along with a nephew — in the span of one hour.

Artur Pliev, the murdered nephew of Mrs. Ozdoeva, was from Plievo. Just two weeks earlier, he had been appointed as head accountant at the same school where his cousins Adam and Khavazh worked. He had been staying at his aunt's house and looking for a family-sized apartment closer to his new job.

"My kids grew before my eyes. I always kept them in my sight. All our neighbors, relatives and friends knew what they did. They all saw them go to work and come back home," recalls Mrs. Ozdoeva, wiping away tears which seem to flow on their own from her pain-filled eyes.

Mrs. Ozdoeva does not know to whom she must turn for justice. In complete despair, she kept saying that she has nothing left to do but go to Moscow — to the Primate of the Russian Orthodox Church, the Patriarch Kirill, and ask for his help. Perhaps, his intercession will help end this unlawfulness? Mrs. Ozdoeva no longer believes that either the federal or regional authorities will do it. Nevertheless, during our subsequent conversation, it seemed to me that in her heart of hearts, this devastated woman still harbored a slight hope that a meeting with Yunus-Bek Yevkurov could bring some kind of relief. I think she was counting on his

assistance in finding her youngest son, who had been abducted while still wounded. She believed in this slim possibility even despite her bitter hurt — after all, the Head of the Republic had not found it necessary to even issue an apology for the wrongful murder of her son and nephew. Such are the errors committed by the republican security agencies entrusted to him — errors for which people have paid with their lives.

On April 18, Yunus-Bek Yevkurov, the head of Ingushetia, received Mrs. Ozdoeva. According to Zareta Ozdoeva, Mr. Yevkurov suggested that the unfortunate mother bring to him her disappeared youngest son, Adam, whom supposedly she had concealed somewhere. The all-powerful official graciously promised (many thanks unto him) to rehabilitate Adam if she did so. Also present at the meeting between the Head of Ingushetia and Mrs. Ozdoeva was the soldier in charge of the special operation in Dolakovo, Federal Security Service Directorate for the Republic of Ingushetia agent Pavel Chernov.

In response to Mr. Yevkurov's request that he report the circumstances of the event, Mr. Chernov claimed that the soldiers had been forced to kill Khavazh Ozdoev because he had opened fire at the federal forces with an assault rifle. Hearing this, the mother could no longer contain herself and exclaimed, "Why are you lying? Have you no shame?" At this point, according to the relatives, Yevkurov ordered Mrs. Ozdoeva to be removed from his office.

Zareta Ozdoev said that her mother returned from this meeting utterly broken. Her health, which had already been frail, became worse and now raises grave concerns.

And so, everything has worked out in a painfully predictable manner: The accounts of the soldiers who committed bloodshed and robbery are not subject to doubt, even if they, having shot an unarmed man, then photographed his body with a handgun on his stomach, and two to three weeks later the handgun in question (which had appeared out of nowhere among the possessions of this peaceful person), suddenly and likewise magically transforms into an assault rifle.

Unfortunately, Mr. Yevkurov does not have the time to look into such dubious miracles. In the above mentioned interview with Gazeta.Ru, he confidently described the Ozdoevs as "the associates of militants" and claimed that these were "armed persons." Just as in the case of Akhmed Buzurtanov, the Head of the Republic again claimed that the dead men were subject to "fieldwork which included surveillance of their conversations." He went on to lament that "typically, no one believes us when we say that these people were planning an act of terror."

Moreover, Mr. Yevkurov reiterates the same story that caused Mrs. Ozdoeva to completely lose any hope: "One of the brothers [Adam, the wounded man who was later taken by the soldiers from the hospital — Ed.] fled. His relatives know where he is but claim that he was abducted."

The events taking place in the region resemble a maleficent and closed loop — along its interminable course walk the people who have suffered from the authorities' abuses of power. The first thing they do when their relatives are abducted or killed without due process is appeal to the law enforcement agencies where, at

times, even their applications are not accepted. Later, they turn to human rights organizations and independent media. The former help them fill out their complaints properly and file them with all the relevant authorities. The latter document and publicize the incidents in question, but in the vast majority of cases, none of this leads to justice for the victims.

The missing persons' relatives are the ones who carry on the search (and the forced disappearances are as a rule performed by the soldiers). Meanwhile, the soldiers who without due process or investigation — or, for that matter evidence — have killed the people they suspect to be associated with the insurgency (who most frequently have simply been designated as such) go on being promoted in their respective branches of service without a shred of accountability. And the fates of the murdered innocents become a statistical resource, which the soldiers and the regional authorities use to prove their success in the "war against terror" to the federal center, which, in turn, only helps justify a bigger budget for this war.

Meanwhile, their victims are left alone with their sorrow. Some of them wait and hope that justice will come. Others choose the path of long and exhausting drudgery, using all available legal remedies, all the way up to the European Court of Human Rights. And yet another group, having lost faith in the idea that the rule of law in this country may be attained through legal means, take up arms — which, it seems, is the most appealing thing to those for whom the propagation of war has become a quick way to make their career and amass material wealth.

TIMUR KUASHEV

October 13th

The day that divided life in Kabardino-Balkaria into "before" and "after"

On October 13—14, 2005, Nalchik, the capital of the once-peaceful Kabardino-Balkaria Republic, became a battleground. It began to smell of war.

The KBR security forces were suddenly attacked by militants. According to official data, 35 law enforcement agents and soldiers, 14 civilians and 92 militants were killed. Another 129 law enforcement agents and 66 civilians were wounded. What really happened there? Perhaps, we will never learn the whole truth behind those tragic events...

On the morning of October 13, I was in Moscow. I was enrolled in a fulltime course. Dozens of witnesses can corroborate my alibi. I was interested in my studies back then — not politics or religion. I did not pray or go to the mosque. When I found out about what had happened, I called my relatives and acquaintances in Nalchik using my phone in Moscow. My phone bill could probably prove this too.

But even these simple facts could not prevent a series of circumstances that ended with my finding myself among a



Nalchik after the clashes

group of 58 suspects accused of attacking the city's security forces. Still, there were others less fortunate than me.

For example, defendant Khasanbi Khupsergenov had been in class at his university in Pyatigorsk — a fact confirmed by all of his classmates. Defendant Muradin Kardanov was working as a freight handler in the Central Market, where dozens of witnesses saw him at the time of the attack. So what were these obviously-uninvolved people doing on the defendants' bench? And since they did

somehow end up there, how is it possible to take the investigators' work seriously?

What should one believe after something like this happens? What should one not believe? Among the accused, four confessed to their active participation in the raid. One confessed to killing a police officer. Most of the assailants claim that, though they were armed, they did not do anything and that, as soon as the situation began to get serious, they dropped their weapons and fled. Many of them were there for the sake of company. They



A dead militant and Spetsnaz soldiers

had gone, as so often happens, because their friends had invited them.

One of the defendants, Anzor Mashukov, detailed the causes for the chaos in a series of articles titled "Who created the insurgency in the KBR?" In the articles he described the oppression of Muslims and the direct persecution of those citizens of the republic who were of the Islamic faith: unlawful detainment, warrantless searches, tortures and beatings, humiliations, the shuttering of mosques and so on. These facts are attested to by a number of witnesses as well as complaints officially filed by the victims.

For their part, **the law enforcement agencies**, keep coyly quiet about all of this — while simultaneously claiming that extremist ideas had spread among the Muslim youth of Kabardino-Balkaria and that the adherents of radical Islam had been growing in number and calling for the violent overthrow of the country's constitutional order.

Here, the words of defendant Islam Tukhuzhev seem apposite. At his trial, the young man responded as follows to State Prosecutor Shamtov's question about why he was headed toward the republic's MVD building on the morning of October 13: "Sure, I had decided to take over the MVD building with one grenade and then declare it a

caliphate, emirate and imamate." At the time of the assault, Mr. Tukhuzhev was 18. His case is in no way the exception. It is completely evident that the majority of the assailants lacked any concrete purpose or goal. What is there to talk about if they didn't even have a plan of retreat?

The case consists of thousands of volumes. The body of evidence for the indictment was gathered during a preliminary investigation. It consists mostly of interrogation reports in which the defendants admit their guilt and indicate accomplices.

With that said, all of the defendants have claimed that **they were subjected to torture**, which fact is confirmed by photographs showing signs of beatings, as well as by medical examinations. However, not a single such claim has resulted in a criminal investigation. The Nalchik City Court and its prosecution service deny any crime took place and, to put it bluntly, refuse to see any evidence of it.

Returning to the words of the aforementioned Anzor Mashukov, at his trial he said the following: "I was detained for half a year. Half my health was taken from me. Meanwhile, Murat Takmakov was delivered to the Directorate for Combating Organized Crime with a wounded shoulder. Later, he was discovered outside of the city,

dead and eyeless. That's what an interrogation at the DCOC entailed."

As a result, it was not surprising that most of the defendants retracted their earlier statements at trial. What else could they do? Pay for their false self-incriminations, obtained through torture, with years of their lives? Let their statements, obtained in the same manner, stand and thereby destroy other, perhaps entirely innocent, people?

The public of Kabardino-Balkaria generally agrees that the October 13 raid was an assault against everyone regardless of affiliation. Many families suffered and much property was damaged. It was a blow against the everyday, peaceful order of life in this beautiful resort city. Let us recall that before that fateful day, Kabardino-Balkaria was an island of stability in the North Caucasus — even as conflicts tore the neighboring republics asunder. The Second Chechen War had just ended, while the inhabitants of Dagestan and Ingushetia were already becoming accustomed to firefights and counter-terrorist measures.

At any rate, the nature of this stability requires its own examination. After all, the signs of this dramatic conflict had been forming under the previous administration. And finally "Sleeping Beauty" awoke and did so to great effect. In such a situation, **it is the general public of the KBR that should assess the events in question, their causes and consequences. In the end, only the public of the KBR should pass judgment on the defendants.** This is not only the conviction of the present article's author — this is the perspective of the law as well.

And yet, somehow, the jury selection process dragged on, while the State Duma ratified amendments to the Criminal Procedure Code according to

which those accused of being associated with terrorism could not be tried by a jury. But we all know that a law cannot have retroactive force or effect! At the time of the crime, the old law was in effect. In response to this, the authorities produced a legal opinion penned by the Kabardino-Balkarian Institute for Humanitarian Studies according to which it was impossible for a jury to objectively examine the case in question, as in such a small Caucasian republic, everyone either knew each other or was related. Perhaps then it makes sense to suspend trials by jury entirely in the Caucasus, so that these savages and *abreks* don't acquit one another?

Why not? After all, the foundation has already been laid. We have already been stripped of our right to elect the heads of the North Caucasian Federal District — obviously a special jurisdiction. In this manner, the Supreme Court of the KBR decided that since it was difficult to assemble a jury and since a new law had just been passed, certain considerations could be cast aside — even though these certain considerations were legal procedure as established by the older law which had never been revoked. For reference, it doesn't hurt to mention that the notorious legal opinion turned out to be an outright forgery: The Institute's employee denied his authorship of the document.

The defense appealed to the Constitutional Court of the RF to resolve this issue. The Court confirmed that the case had to be examined under the law in effect at the time of the crime. But here, the rebellious republican court revealed its true highlander nature: Insisting on its previous decision, it wholly ignored the Constitutional Court's decision and by extension the Constitution of the Russian Federation. A courageous position!



The newly-erected building where the trial is being held, built on the premises of the Nalchik remand prison



It does not hurt to mention that anyone willing can go to the trial and see for herself that the **proceedings are entirely prejudiced**. Any motion by the defense that could influence the outcome of the trial in the slightest is overruled. Exceptions to this are extremely rare; however, one may

observe an admirable solidarity between the chief justice and the chief prosecutor.

The work of some of the defense lawyers likewise leaves something to be desired. But I will focus on the other side of the coin: I won't mention

them and instead name those who display effort and principles in their advocacy for their defendants' interests. There are quite a few: Magomed Abubakarov, Oleg Kelemetov, Batyr Akhilgov, Magomed Gagiev, Marina Akhmetova, Tatiana Psomiadi, Kazbek Datteyev, Madina Dyshekova, Luisa Shorova, Lyudmila Kochesokova, Farida Tuganova, Murat Ozrokov, Zalim Dzahashtov.

I won't name the lawyers who prefer to keep to the shadows, unwilling to spoil their relations with the judges, prosecutors and detectives — if anything, because I remember them very poorly.

I cannot pass over the fact that even though **the health of some of the prisoners is in a critical state**, they receive no medical aid. On the other hand, perhaps this is for the best if we take into account that the director of the remand prison's medical unit is a forensic pathologist! I'm not kidding — what is there to joke about here if, for example, Zaur Tokhov required spine surgery. Following a multitude of motions and walkouts on the part of the lawyers (several defenders left the courtroom in silence, for which they were held in contempt), Mr. Tokhov received his operation at the remand prison a year ago. But any such surgery requires a rehabilitative period and this basic right of every patient was denied him.

In March 2013, defendants Zaur Tokhov and Zaur Sokmyshev went on a hunger strike for over a week, in an attempt to attain qualified medical care. Mr. Sokmyshev went so far as to cut his own stomach. The defendants were even compelled to boycott the court session, as a result of which they were removed from the courtroom until the closing of oral arguments, which basically constitutes an infringement on their rights to due

process. Either way, their demands fell on deaf ears.

It is therefore not difficult to imagine **the kind of pressure the defendants find themselves under**. Nevertheless, besides the defendants, the authorities are likewise exerting pressure on their family members. Their houses are constantly being subjected to warrantless searches, they are under surveillance and their phones are unlawfully tapped. Many of the defendants have infant children and elderly parents: What law provides for their lives to be ruined?

Zalina Gabibullaeva, the common-law wife of Rasul Kudaev, was detained at the border of the Republic of North Ossetia-Alania and Ingushetia. A mock explosive device was discovered on her person. She was on her way to the Nalchik remand prison in order to register her marriage with Mr. Kudaev. The mother of four children and Zaira Akkaeva, who was traveling with her, were sentenced to two years in prison. We would ask, for what?

The defendants also claim that various troubles plague whoever helps their families. There are two cases in particular that took place at different times: the murder of Ilyas Tramov, a resident of Nalchik, and the disappearance of Alim Kaitaev.

The last tragedy, which I cannot fail to mention, is the murder of the journalist Tamerlan Kazikhanov, during the attack on Center T. Many have already seen that shocking, bone-chilling video. However, during the judicial investigation, the bullet which killed Mr. Kazikhanov mysteriously vanished from the evidence repository. The bullet could have helped identify whether it had been fired by the militants or the security forces, but after the defendants' motions to identify it, the response was that, of all the material



The mothers of the defendants

evidence in the case, this was the one that could not be found. And finally, the most incontestable argument for the groundlessness of the indictments: Since the prosecution did not present any material evidence, specifically the weapon that, according to the investigation, was used to commit the crime, the court denied the motion to examine material evidence during the trial at all.

And so the trial of the century is nearing its conclusion. Soon everything will be resolved. The republic remains jittery to this day. The repercussions of those dramatic events still animate the general public. On May 3, a protest rally was held in Nalchik against the rights violations of citizens and the abuses of power by law enforcement officers. I request that this article be evaluated as a resolution proceeding from that rally and addressed to the federal and republican authorities.

However, this article's real addressees are the residents of Kabardino-Balkaria, those who care about the present and the future of their native province, those who insist on their right to participate in what is happening to us. While the trial is underway, there is still a chance to find out what happened — and more importantly why it happened. Without having done so, it is impossible to solve the security problem that has so forcefully come to the fore, overwhelming all previous ethnic and territorial differences. What is the point of land, after all, if there is no one to live on it?

IRENA PODOLSKAYA

THE PARTICULARITIES OF AN ETHNIC SENTENCE

Aslan Cherkesov informs Vladimir Putin in writing that he is renouncing his Russian citizenship

A year and a half have passed since Aslan Cherkesov was sentenced (on October 28, 2011), yet his relatives and those few who consider the verdict unjust and unusually cruel continue trying to alleviate the young man's fate. *DOSH* magazine numbers itself among these, regularly featuring articles about Mr. Cherkesov and still trying to answer the question of how Article 108 of the Russian Criminal Code "Murder as a result of excessive force during self-defense" suddenly turned into Article 105 "Murder in the first degree." The stipulated punishment under the latter article is 6-15 years' imprisonment. Mr. Cherkesov was charged under several articles of the Russian Criminal Code, including robbery (Section 1, Article 161) — i.e., his "theft" of a purse which he had never seen until the investigation and which had none of his fingerprints on it. For all the charges combined, he received 20 years.

I already wrote about Mr. Cherkesov (*DOSH* #4-2012) and expressed my conviction that the guarantor of the Russian Constitution played a fateful role in the fates of this young man and his relatives.



Do you recall the function of fate in ancient Greek tragedy? Fate is that which one cannot avoid: that which befalls a person suddenly, striking him like a lightning bolt. Everything that follows is predetermined by fate. The person is doomed. But that is not all: He also brings misfortune to his relatives and loved ones. Like a leper, he becomes the source of physical and psychological torments.

As soon as he appeared onstage, Mr. Putin became Aslan Cherkesov's doom, and he went on to play his part so convincingly that he managed to transform a run-of-the-mill brawl, the

kind that we read about almost daily, into a tragedy. Such are the laws of genre.

On December 21, 2010, then Prime Minister Putin met the friends of the murdered soccer fan, Egor Sviridov, traveled with them to his grave and, placing an enormous bouquet of red roses upon it, pointedly said, *"We must ensure that such a thing never happens again!" In our country, where officials greedily catch every word falling from the leader's lips in fear of missing his symbolic meaning, this phrase was interpreted as a sign from on high — as a divine band, pointing.*



Vladimir Putin became the doom of Aslan Cherkesov

Mr. Putin could have just as easily uttered a single command: "Bite!"

This took place after the unforgettable Manezhnaya Square riot on December 11, 2010, when passions were reaching their boiling point.

To be fair, I should point out that the "anti-Caucasian" attitude is an ever-present undercurrent in Moscow, uniting amongst themselves both "the darling Muscovites" and the natives of the North Caucasus, "the guests of the capital" as well as its toilers. We are indebted to the wise ethnic policies of our government for this state of affairs, which has remained unaltered for the last few decades.

In addition to the above, Mr. Putin committed another "benevolent" act: He declared publicly that Aslan Cherkesov had been tried twice before and that he abused drugs. No doubt, one of his aides had slipped him information about another Aslan from Kabardino-Balkaria — there being no fewer Aslans there than there are Ivans in Moscow. But this disinformation was well-met despite this fact, forcing Aslan's relatives to work as hard as they could to dispel it.

Statistics — a digression into popular science

I couldn't find any statistical data about Caucasians killed in Moscow.



I don't doubt that such data exist, but I would guess they are classified. On March 17, 2011, Rashid Nurgaliyev, then Interior Minister of Russia, was asked three questions:

1. How many murders or other severe crimes have been committed in Moscow by people from the North Caucasian republics (including by those who were permanent residents in the capital) during 2009-2010?
2. What percentage of total murders and other severe crimes committed in Moscow do these crimes comprise?
3. How many representatives of the North Caucasian republics (including those who were permanent residents in the capital) have been killed or assaulted in Moscow during 2009-2010?

Nurgaliyev's response was as follows:

"We report that the collection of statistical data that you are interested in is not provided for by state-level or agency-level reporting norms. Moreover, the concept of 'representative of the North Caucasian republics' has no legal definition in current Russian law,

which precludes us from formulating statistics on this issue."

There are no such statistics on the Internet either, though it bristles with titles which quite adequately reflect Russian attitudes toward Caucasians (I can neither utter nor write that vile and ignoble "definition" of "Transcaucasian national"). Here are a few: "Group of Transcaucasian nationals starts a shoot-out," "Caucasians are exterminating the Russian people," "Fifteen Caucasians start a shoot-out in a Moscow cafe," "Caucasians on rampage in Moscow," etc.

No less interesting is another aspect of the "forced cohabitation" problem: How many natives of the Caucasus have perished at the hands of the Russians? And what kind of sentences did the culprits receive? I would also ask another question: Has any state representative — however insignificant (and without flowers of course) ever once visited the grave of a murdered Caucasian? But, I suppose, this last question is too purposefully absurd.

Really, Prime Minister Putin had no need to trouble himself. Everything would have worked out the way he wanted even without his having to point the finger.

Putin could not have overlooked the fact that any opinions or claims uttered by the leader of the nation would be received in his hierarchy as direct edicts and would thus offer unlimited opportunity for the expression of jingoistic sentiments by all branches of power, including the judiciary.

Judge for yourselves. In an interview with MK (April 5, 2012), Aslan Cherkesov recounted the following:

"I acted lawfully. I did not break the

law... After all, there was footage from the surveillance cameras installed along Kronshtadt Boulevard. I submitted a motion to present them at trial. The court sustained my motion. But the footage was not shown at trial. Detective Ostapyuk told me directly at the detective's office in Matrosskaya Tishina Prison, 'If the footage is shown, the most they can charge you with is excessive force during self-defense.' But you, he said, were framed from above."

In full accordance with such a frame, the surveillance camera tapes vanished.

In order to prove that he had fired in self-defense — from under his shoulder and over his assailant — Mr. Cherkesov had saved his jacket and requested that it be examined. He was refused in this.

He further requested the investigators to find the silver foreign car against the hood of which the soccer fans had beaten him. The car's driver had been inside and had seen everything. Hypothetically, he could become a witness for the defense. This request was also denied.

Mr. Cherkesov asked to take a lie detector test. He was not allowed to do so.

No one considered the fact that the nonlethal pistol that Mr. Cherkesov had bought in 2009 had never been fired until December 6, 2010. This fact served to prove circumstantially that Mr. Cherkesov had acquired the gun for work purposes: He had been planning on getting a job with a Moscow security company. And, after all, it's easy to assume that Mr. Cherkesov had reason to use his firearm.

In this country, the judiciary grovels too much. As a consequence, there is

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nothing left for us to do but place our hopes in the same thing that Lermontov so ardently believed:

But there is — there is a Higher Court, oh pets of the depraved! There is a dreadful judge: He waits; He does not answer to the call of gold...

Only, all that is a bit too far in the future! Mr. Cherkesov's ailing mother cannot wait for such a trial.

Following the aforementioned signals from the Prime Minister of Russia, Sergei Ostapyuk met with Mr. Cherkesov's common-law wife, Tanya Rzhavina, and advised her not to go on associating with a person who was doomed to spend the rest of his life in prison. Note that this advice was offered before the judgment had been passed down — that is, everything had already been decided!

And here is another thing that was obviously in excess of the plan: For

more than six months, Mr. Cherkesov's relatives were not allowed to meet him, supposedly because he might have changed his testimony. Why do this? After all, Mr. Putin had not tasked them with supervising everyday sadism!

Only one of Mr. Cherkesov's motions was granted: a trial by jury.

To be honest, this surprised me. A jury represents a cross-section of society and, in the given case, reflects social opinion. What this opinion was, Mr. Cherkesov knew well from his "former life." It wasn't for nothing that, speaking at his trial, he asked that he be judged not as a Caucasian but as a citizen of Russia. The request fell on deaf ears.

In his new life, Mr. Cherkesov discovered that a trial by jury offers hope, however meager.

"Whereas in normal trials the percentage of not guilty verdicts does not exceed one, in jury trials (depending

on the region) it can be up to 20," explained V. Lukin (Rossiyskaya Gazeta, November 11, 2004).

But even this hope did not pan out. The jury rendered a guilty verdict.

Mr. Cherkesov was sent far away, to Krasnoyarsk Krai: 3,500 km from Moscow and 4,500 from Nalchik where Mr. Cherkesov had been born and where his mother, wife and son live.

What reason is there for incarcerating someone so far away from their relatives? He is already wretched, after all. This may be true, but I already mentioned the function of doom. According to the laws of the genre, Mr. Cherkesov's relatives had to suffer as well. This way, they can't reach him. They cannot verify whether he received their letter or package, or whether he is being humiliated in prison.

Anya Cherkesova, Aslan's sister, hired a lawyer in Krasnoyarsk to look after him and to pass letters to and from him. But this did not bring

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Krasnoyarsk any nearer to Moscow or Nalchik.

Article 73 of the Penal Code "completely reasonably establishes the norm that convicts should be sent to serve their sentences in penal colonies of the appropriate regime that are located in the same region where the convict lived and committed his crime. The point of such an arrangement is, first of all, that during their time apart, the convict should not lose contact with his family; he should retain the opportunity to exercise his right to see his relatives. We already mentioned that the underprivileged part of the population is disproportionately represented among the inhabitants of the penal colonies; accordingly, their relatives are unable to travel long distances" ("How a convict can defend his rights," Trans-regional Non-governmental Organization *Society of Penitentiary Institution Curators and Human Rights Advocates*, Serpukhov, 2000). In practice, as the pamphlet's authors point out, such norms are rarely followed.

Unable to cope with systematic humiliation and his separation from his family, Aslan Cherkesov wrote a letter to Vladimir Putin in which he renounced his Russian citizenship and sent another letter to the United States embassy. Imagine the gall of this convict! He renounced his citizenship and asked the US ambassador for a meeting with US officials "in order to detail multiple facts concerning infractions against human laws and rights!"

Unless I am mistaken, this was without precedent.

No doubt the discerning reader has already figured out that, after all this, Mr. Cherkesov was transferred to a psychiatric hospital. Two convoys escorted him on his way there. Having undressed Mr. Cherkesov to his underwear, these strong men in pea coats kept him in an unheated room for two-and-a-half hours (examination!), after which they handed him over to the doctors. This took place in February. Refusing any kind of treatment, Mr. Cherkesov spent ten days in the hospital. From there, he was sent to colony No. 31, located near the previous one.

Having learned what was happening to her son, Sonya Cherkesova, who is legally blind and a cancer patient, recorded a video address to Mr. Putin and Arsen Kanokov, the head of Kabardino-Balkaria. I can only imagine what it took for this proud and strong woman to request something from our motherland's leader. Such remarkable courage is shown in matters of life or death. For Sonya Cherkesova, being unable to see her son is probably the equivalent of death. This, as well as the realization that besides her basic human rights, the Law itself is being violated, forced Sonya Cherkesova to take such a step. The mother, having sacrificed her dignity for the sake of her son, asked President Putin to transfer Mr. Cherkesov to a region where she could see him at least one more time. But he whom she supplicates, knows no pity. Besides, Mrs. Cherkesova reminded him of the evil role he played in Mr. Cherkesov's fate. And so, it is unlikely that her request will be fulfilled.



EVGENIYA SHEPELEVA

HE HOPED FOR AN EARLY RELEASE NEVER SUSPECTING IT WOULD COME IN DEATH

In March 2010, every media outlet in the country reported that Ingush law enforcement had conducted a major special forces raid. According to the official version of events, "seven militants were killed during a special forces raid in Ekazhevo, among them Said Buryatskiy, four Kartoev brothers, a B.A. Dalgiev and one more unidentified individual. Yet another member of this armed group, Adam Kodzoev (b. 1979), who worked for the RF Federal Treasury Department for the Republic of Ingushetia, was killed on March 4 in Srednie Achaluki. According to FSB data, he was responsible for financing the group. The FSB reports that between November 2009 and February 2010, the armed group committed fifteen acts of terror targeting federal officials, local government and civilians."

During the raid, ten residents of Ekazhevo were detained and taken to the Lefortovo FSB remand prison in Moscow. The detainees include three surviving sons of Umatgiri Kartoev, another six people surnamed Kartoev and Zelimkhan Aushev. They are being charged as accessories to the Nevsky Express train bombing on November 27, 2009.

The special forces raid lasted several days. A week after the security forces left Ekazhevo, activists from the Human Rights Center Memorial paid a visit to the village. They met with the parents of the killed Kartoev brothers, who were accused of abetting illegal armed groups and harboring one of the ideologues of the insurgency in the North Caucasus, Said Buryatsky (Alexander Tikhomirov).

Local residents told the rights activists that the raid began early in the morning of March 2. At five in the morning, armored personnel carriers and numerous federal law enforcement agents appeared outside of Mr. Kartoev's house. They blockaded the house, as well as the houses of his sons who lived nearby. Shooting broke out. The volume of fire was so high that people were afraid to go outside. The shooting went on until nighttime.

The soldiers were shooting at the house of the eldest son, Tukhan Kartoev. According to his mother, Movlatkhan Kartoeva, her son was killed when, hearing gunfire and his neighbor screaming for help, he ran out to the street. Nazir, his brother, was also killed when he tried to reach the house of his brother Beslan. Yet another brother, Akhmed, was also killed during the shooting.

Several houses, especially Tukhan's, were seriously damaged. Three further Kartoev brothers — Tarkhan, Tatarkhan and Beslan — were detained; at the time, the parents believed that another son, Magomed, had also been detained, as he was nowhere to be found. The raid area remained under the control of federal law enforcement agents, and none of the local residents were permitted to go anywhere in the village.

On March 3, the soldiers began to search the Kartoevs' houses. Once more, the shooting broke out and lasted all day. Later, it was established that during this shooting, Magomed — who had been hiding in the basement of his house the entire time — was killed. In the evening of March 3, the bodies of the dead Kartoev brothers, which had been taken to the republican hospital's morgue on March 2, were taken away to an unidentified location. The authorities refused to return their bodies to their relatives. During March 4-6, the soldiers remained at the site of the raid. According to Umatgiri Kartoev, the head of the Kartoev family, they ransacked seven houses belonging to the family, then demolished the buildings and set them on fire.

...

On March 7, after four of the Kartoev sons had been killed and another three taken away, after their houses had been ransacked and destroyed, the president of Ingushetia, Yunus-Bek Yevkurov, invited Mr. and Mrs. Kartoev, as well as their relatives, to meet with him. However, the Head of the Republic did not do so in order to express his condolences or to commiserate with his countrymen who had been left without a roof over their heads and daughters-in-law to support — that is, people who had suffered a grave misfortune.

Instead, before an investigation or a trial could even take place, the president of Ingushetia rendered his own judgment. He informed the devastated parents that their sons were accessories to a series of crimes committed in Ingushetia, including the shooting deaths of police officers. In addition to this, he claimed the Kartoev brothers had harbored Said Buryatsky in their house. Having heard out Mr. Yevkurov



The ambulance crews are well acquainted with the address in Ekazhevo. There are no houses here — only the remains of foundations and a trailer in which the Kartoev family has taken shelter. It is from here that the ambulance crews are often called. The family calls the ambulance whenever the blood pressure of the Kartoev brothers' mother, Movlatkhan, rises dangerously high.



in silence, Mr. Kartoev merely objected that no one in the family knew Buryatsky, that his children had always made their living through honest work and that the authorities had never had any problems with his family before.

Mr. Kartoev only asked the head of Ingushetia that the bodies of his dead sons be buried in accordance with Muslim tradition. He appealed to Mr. Yevkurov's humanity, with the hope that Mr. Yevkurov, as a fellow-Ingush, would understand him, a father who had lost four sons in one day. Yunus-Bek Yevkurov rejected his request.

On March 2, Umatgiri Kartoev, the father of the Kartoev brothers, was on his way back from morning prayer at the mosque.

"All of a sudden I saw that our street was covered with military transports and soldiers, some of them masked," Mr. Kartoev recounts. "Our houses were surrounded from all sides. Then, all of a sudden, they started shooting — and not just from their rifles. I couldn't understand anything and no one wanted to explain anything to me. My sons were shot early in the morning as they, still half-asleep, rushed out of bed to answer their neighbors' cries."

Mr. Kartoev falls silent for a long time. It is still difficult for him to relive the events from three years ago.

"Ask anyone in our village — anyone will tell you I always lived honestly. I spent fifty years in the same job. And I raised my children to live honestly too. If they are guilty of something, why kill them on the spot? Or do we now have a law that allows a person to be killed without first establishing his guilt? Only Hitler acted this way, without notice. People were never treated like this before, during Soviet times. The new president, Yevkurov is a Muslim. He wears a *taqiyyab* and performs the *dbiker*. We met with him and I asked him: Some of our sons have been killed, the others have been taken away, our houses have been destroyed, but what are our children, my grandsons, guilty of? How are they supposed to live? They have neither a roof over their heads nor food to eat. How are they supposed to go to school? The president didn't answer these questions. And when I asked that my son's bodies, who were killed during the raid, be returned to us, he could give me no clear answer. He says they are terrorists. Who proved that they are terrorists? Was there a trial? A verdict? Nothing has happened yet, but Yevkurov already claims that my children are terrorists."

The ambulance crews are well acquainted with the address in Ekazhevo. There are no houses here — only the remains of foundations and a trailer in which the Kartoev family has taken shelter. It is from here that the ambulance crews are often called. The family calls the

ambulance whenever the blood pressure of the Kartoev brothers' mother, Movlatkhan, rises dangerously high.

"For a time it seemed like my blood pressure would spike less frequently, but then Tarkhan died and since then I haven't gone a day without my blood pressure being too high," says Mrs. Kartoeva. She remembers March 2, 2010 — the day that the soldiers killed her sons right before her eyes — down to the slightest detail. Four sons. One after the other. How can a mother's heart bear something like this?

There were ten children in the family, seven sons and three daughters.

"Right after graduation, the boys began working at various construction sites as welders and truck drivers," tells Mrs. Kartoeva unable to contain her tears. "Their father worked with them. We raised them strictly. Every evening, I would report to my husband who had come back and who wasn't home yet. In our family, no one ever spent the night away from home. Everything was very strict in our family, even on holidays, I swear on Allah. Even when they married, we still knew where everyone was and what they were doing."

"It started in the morning: explosions, bullets whistling," Mrs. Kartoeva recalls the events of March 2, 2010. "We got scared and ran outside in our house clothes. My children had been sleeping and they ran out in their underwear. I thought that a war had begun and told them to all go to one house. Nazir was disabled; he had problems with his leg. And so, hunching from the bullets, he ran to Beslan's house. He couldn't run very fast due to his bad leg. He managed to reach Beslan's house but died there. They killed Nazir and Akhmed. The neighbor ran out into the courtyard

screaming for help. Tukhan ran up to her and they shot him.

"Our house was old," Mrs. Kartoeva continues. "The soldiers told my husband, 'We won't touch your houses, old man.' But they destroyed all of them. Where are we supposed to live? We have nothing left: no food, no clothes, no house. We stay with relatives at night — there's nowhere else to go. Before destroying our homes, they drove cars into our yard and loaded them with our things. They even took our kids' diapers."

Tanzila Kartoeva, Tarkhan's wife, explained that her mother-in-law became ill seeing her sons killed and had to be taken away in an ambulance.

"The entire time the raid was going on," says the young woman, "they held my father-in-law hostage. On the third day, they took everything including the car. On the fourth day, they rigged my house, my in-laws' house and Tarkhan's house with explosives. They blew them up at the same time. In those four days, I lost my husband, my house, my belongings and my food. We were left out on the street without children."

About one-and-a-half years later, while the investigation was still underway, we discussed what had happened in Ekazhevo on that early March morning. Tatiana Okushko, a lawyer working on the trial, wondered why it was necessary to kill people who could have been arrested. If there were grounds for it, why not just surround the house and go inside where everyone was still asleep? "Everyone keeps saying that the Spetsnaz is well-trained: that they know how to free hostages and do everything quietly and without unnecessary noise," the lawyer said outraged. "Why kill the Kartoevs? If

there was some kind of information implicating them, then the soldiers could have simply interrogated them to get additional information."

Back then, I recalled an article published long ago in the *Severnyi Kavkaz* newspaper, which recounted Salman Raduev's capture. Early in the morning, a group of Spetsnaz entered a house located in one of the villages of Gudermessky District. Silently, without waking the owners, they passed to the room where Raduev was sleeping. They shook him by the shoulder: "Wake up, Salman. It's time to go. Let's not make any noise." Raduev realized that resistance was useless. The soldiers took him to Makhachkala where an airplane was waiting for him. From there, he was flown to Moscow. No one had been killed during Raduev's capture; no houses were blown up.

Back in March 2010, the soldiers "sorting things out" in Ekazhevo, took with them three surviving Kartoev brothers — Tarkhan, Tarkhan and Beslan — as well as Zelimkhan Aushev and six other Kartoevs who also lived in Ekazhevo.

All ten were accused of being involved in the bombing of the Nevsky Express train.

Umatgiri Kartoev has spent the intervening years trying to obtain permission to collect the bodies of his dead sons in order to give them a Muslim burial. The official response to Mr. Kartoev's petitions mentioned that his filing had been examined by the Main Investigative Directorate of the RF Investigative Committee. "The criminal investigation is still underway. The deadline for the preliminary investigation has been extended to March 23, 2012. The investigation will examine the possibility of releasing the bodies of the Kartoevs," states the



document which is signed by Senior Detective Ushchakovsky. "I was told that as long as the investigation is still going on, they cannot return the bodies," Umatgiri Kartoev told me back then. However, in the spring of 2012, the hearing in the case of the Nevsky Express bombing came to an end in the Tver Oblast Court. In April 2012, Mr. Kartoev went to Moscow to meet with Det. Ushchakovsky. He assumed that, since both the investigation and the court examination had come to an end, the question of whether he could receive his sons' bodies for burial would finally be resolved. But from his conversation with the detective, Mr. Kartoev finally understood that the bodies of Tukhan, Nazir, Akhmed and Magomed — all killed on March 2, 2010 — would never be returned and that he would never be able to bury them in his family cemetery.

Lawyer Tatiana Okushko believes that the Russian law "On the funerals and the funeral business" — which the security agencies cite as their basis for refusing to return the bodies of those who were suspected terrorists or their associates — "does not provide legal grounds for such an application of its provisions."

"The law concerns individuals who died while committing an act of terror or were killed while attempting to commit an act of terror," explains the lawyer. "An 'act of terror' as a legal concept is extremely vague in investigative and judicial practice. As a result, during a counter-terrorism operation, it is enough for the security agencies to refer to 'any old brief' which mentions that the people in question are suspected of having committed acts of terror. This then becomes the legal basis for refusing to return the bodies to their relatives for burial. This constitutes an erroneous legal construction, and there-

fore the bodies of people like the Kartoevs should be returned to their relatives."

...

Investigators had barely begun their work on the Nevsky Express bombing when the head of the FSB, Aleksandr Bortnikov, reported to then President Dmitry Medvedev that this high-profile case had already been solved. According to Mr. Bortnikov, "members of an armed group recently liquidated in Ekazhevo were involved in this crime. As a result of the raid by special forces, ten active members of the armed group were detained and eight militants who offered armed resistance were liquidated. The liquidated militants included the ideology of the armed insurgency in the North Caucasus, Alexander Tikhomirov (alias Said Buryatsky) as well as the Kartoev brothers and an employee of the RF Federal Treasury Department for the Republic of Ingushetia."

The official website of the FSB states that "an underground workshop that the militants used to prepare improvised explosive devices was discovered on one of the premises. In the course of its examination, material evidence has been uncovered, implicating the Kartoev armed group in the 2009 Nevsky Express bombing."

Since the case of the Nevsky Express bombing was declared solved at the highest levels, the investigators had only one thing to do: prove the unprovable.

The entire time that the investigation was underway (hearings in the Nevsky Express bombing case were held in Tver Oblast Court), the defendants refused to admit their guilt. Then as now, the lawyers considered all of the charges brought against the defendants groundless, while relatives complained about the torture and

Numerous contusions and abrasions were discovered on Tarkhan Kartoev's body. The trauma were inflicted by blunt, hard objects. The contusions were likely caused by blows to the skin by blunt objects. The following was discovered: fractured right second through fifth ribs along the midclavicular line and fractured right fifth and sixth ribs along the parasternal line; fractured left fourth through seventh ribs along the anterior axillary line. Colony medical personnel claim that the nine broken ribs are a result of CPR protocols.

intimidation that law enforcement agents subjected the suspects to.

The European Court of Human Rights (ECHR) examined a complaint submitted by lawyers Tatiana Okushko and Musa Pliev, who took part in the trial for the Nevsky Express bombing. The complaint claimed that the suspects had been subjected to torture during the investigation. In the complaint examined by the ECHR on January 25, the lawyers write that the suspects in the Nevsky Express bombing, Zelimkhan Aushev and Murat Kartoev, were tortured during the preliminary investigation, which yielded full confessions as well as confessional evidence. Ms. Okushko and Mr. Pliev are convinced that this "confessional evidence, obtained under torture, served as the only direct evidence in the basis for the judgment."

In pursuance of the verdict rendered by Tver Oblast Court on May 22, 2012, four defendants — among them, two Kartoev brothers — were sentenced to life in prison. The other six were sentenced to between seven and eight years imprisonment. They were found guilty of organizing and participating in an illegal armed group, as well as illegal arms trafficking. With that said, all six were found not guilty of the banditry charge (Sec. 2, Art. 209 RF Criminal Code) — "for absence of crime in the act," according to the court. Charges of involvement in the

train bombing were dropped before trial.

This February, the Supreme Court commuted Tarkhan Kartoev's sentence to seven-and-a-half years imprisonment in a minimum-security — rather than a high-security — penal colony. The Court of Cassation likewise commuted the sentences of another five convicts.

...

In June, all the defendants in the Nevsky Express bombing case were transported under guard to their respective penal colonies. On the evening of June 28, Tarkhan Kartoev arrived at IK-2 in Yekaterinburg. On June 29, he passed away. On June 30, Tarkhan's relatives received a telegram signed by Mayor Mikheyev which stated that their son had passed away from cardiovascular insufficiency.

"It's not possible," Mr. Kartoev told me devastated. "I spoke with him on the phone only three days before. He was feeling normal. We talked about family matters, about the kids. Everything was okay. In our family, Tarkhan is the sick one — he has problems with his kidneys. But Tarkhan was always healthy and never had any complaints. He was killed. They murdered him over there. What is going on in this world?"

He was getting ready to go to Yekaterinburg with his nephew in



order to bring back his son's body and bury it at home. Mr. Kartoev was afraid that everything would repeat itself and the authorities would refuse to return Tarkhan's body for burial, as they did with his other four sons.

The relatives notified lawyer Tatiana Okushko that Tarkhan had died in IK-2. "The first thing that came to mind was that the staff at IK-2 had made a mistake," says Ms. Okushko. "After all, Tarkhan had never complained about his health. I spoke with him. He was in good spirits. Tarkhan was convinced that he would be released from the colony prematurely. Out of everyone, he was the only one who believed that justice would triumph. He would even bring his bag with his personal belongings to the hearings with him. He hoped that the judges would figure things out and realize that a mistake had been made, that he wasn't guilty of anything. He thought they would let him go free right there in the courtroom. The other guys

made fun of him, but he went on believing."

Relatives convinced Mr. Kartoev not to go to Yekaterinburg. Instead, on June 30, Mr. Kartoev's nephews — one of them, the lawyer Bilan Kartoev — traveled to Yekaterinburg. In the morning of June 1, they arrived to IK-2. I spoke to Bilan Kartoev on the phone and he said that all the requisite documents for retrieving the body from the morgue were issued to them without any problems and that by three o'clock in the afternoon, they had collected Tarkhan from the morgue. When I asked whether there were any traces of torture or beatings, Mr. Kartoev was evasive. He simply repeated several times, "We need to catch the night flight to Mineralnye Vody, so that we can be home by tomorrow morning."

It was Tatiana Okushko who called me the morning of June 2.

"There are traces of torture. I told Umatgiri that we have to conduct an independent examination."

A little later, I phoned Tarkhan's uncle, Mukhazhir Kartoev. He was the one who explained that Tarkhan's body bore numerous traces of torture. It turned out that not only had Tarkhan been shackled and beaten, but his tormentors seared him with boiling water sprayed from a hose, causing widespread scarlet-red blotches to appear on his body. It was only later, having stumbled across a website that detailed the savagery that takes place at IK-2, that I read about an inmate named Kuzmin whose legs had been scalded all the way up to his groin. This is the kind of torture practiced at the "model penal colony" IK-2. I asked Mukhazhir Kartoev why Bilan had not mentioned the signs of torture the day before when we spoke on the phone.

"He was afraid that his phone, as well

as yours, is tapped," explained Mr. Kartoev. "Then — if he had told you what he had seen at the morgue while he was still in Yekaterinburg — they could have concocted some obstacles and refused to return Tarkhan's body. The most important thing for them was to deliver the casket with Tarkhan's body to Ingushetia as quickly as possible."

The Kartoevs lodged a request with the RF Investigative Committee for Ingushetia investigations department to conduct a check for the prisoner's cause of death, after which they sent his body for a forensic autopsy to Nazran Central Clinical Hospital. The hospital conducted an external examination (without dissection) and passed its results to the republican investigatory agencies.

Lawyer Tatiana Okushko and Mukhazhir Kartoev flew out to Yekaterinburg with video and photographs showing the traces of torture. In the morning of June 4, they reached IK-2 and met with the warden of the colony.

Alexei Sokolov, a human rights activist based in Yekaterinburg who accompanied Ms. Okushko and Mr. Kartoev recounts the meeting:

"During the conversation, we presented our version of events, according to which Tarkhan had been murdered, and asked [the warden] to explain the origins of the injuries present on the body of the deceased. The warden's hands began to shake. He began to assure us that the convict had already been in this state when he had arrived to the colony on June 28. In the morning of June 29, Tarkhan had been walking around normally, and he had been fine during the day, but in the evening he suffered a heart attack. The lawyer asked why the signs of the beating were not formally

recorded upon Tarkhan's arrival to IK-2. She never received an answer.

"We went to the prosecution service in charge of correctional institution oversight in Sverdlovsk Oblast," Mr. Sokolov continues, "and we made another two visits to the investigations department of the Yekaterinburg RF Investigative Committee. Tatiana Okushko met with an investigator there. Tatiana mentioned the independent examination conducted by the relatives. The investigator assured her that he would carefully conduct a pre-investigation check. Tatiana lodged a claim and advocacy requests with the relevant authorities. After our visit to the Yekaterinburg Investigative Committee's investigations department, an announcement appeared on the Sverdlovsk Oblast Investigative Committee investigations department's [website](#) that the Investigative Committee would conduct an objective examination."

Tarkhan Kartoev's funeral took place on June 2, the same day he was returned to Ingushetia. The funeral was well attended. The men did not conceal their tears.

"Sorrow brings people together," remarked Alexei Sokolov, "It doesn't matter who you are — Muslim or Christian — it doesn't matter where you live. All of us have to struggle against abuses of power, summary executions and torture together. Today they are killing us in the prisons, but tomorrow, perhaps, they will be killing us in the streets."

Tarkhan Kartoev's relatives will insist on opening a criminal investigation into the numerous beatings that led to Tarkhan's death.

Evgeniya SHEPELEVA

PS. According to Elena Tishchenko, representative of the main directorate of the Sverdlovsk Oblast Federal Penitentiary Service, "No signs of violent death were found on the body. The preliminary diagnosis is acute cardiovascular insufficiency. Penal colony personnel performed resuscitation measures for 30 minutes following death but could not reinstate a heartbeat."

Ms. Tishchenko explains the blemishes as postmortem lividity caused by the body's lengthy transport between Yekaterinburg and Ingushetia. "All the requisite documents that are issued to relatives when a convict dies were issued. I do not know whether the documents contained the doctors' conclusion," added the FPS employee.

Numerous contusions and abrasions were discovered on Tarkhan Kartoev's body. The trauma were inflicted by blunt, hard objects. The contusions were likely caused by blows to the skin by blunt objects. The following was discovered: fractured right second through fifth ribs along the midclavicular line and fractured right fifth and sixth ribs along the parasternal line; fractured left fourth through seventh ribs along the anterior auxiliary line. Colony medical personnel claim that the nine broken ribs are a result of CPR protocols.

According to a practicing surgeon-cardiologist, there are indeed instances when the doctor may break a rib during CPR. But Tarkhan Kartoev was 40 years old. He was young and had strong bones. It would take being run over by a car to break nine ribs — or having someone jump repeatedly on his chest or kick him while wearing boots. An important point is that five of the ribs were broken on the right side, whereas the heart, as everyone knows, is located on the left side. This gives us pause for thought.

MAIRBEK VATCHAGAEV

President of the Association for Caucasian Studies

WHY ARE CAUCASIANS TRAVELING TO JOIN THE SYRIAN CIVIL WAR?

For almost two centuries, any mention of Syria held special interest for Chechens, Ossetians, Dagestanis, and Circassians due to the so-called *muhajireen* — North Caucasians who were expelled from their native region in the second half of the 19th century. Back then, thousands of people who refused to acknowledge Russian Imperial rule, chose to leave their historical motherland and emigrate to the Ottoman Empire. Fate disseminated them throughout the entire empire, from Istanbul to Cairo. Among the migrants, a portion settled in the regions which, following the dissolution of the Ottoman Empire (November 1, 1922), became a part of modern-day Syria.

In the imaginations of multiple generations of North Caucasians, Syria was a fairy-tale, eastern land. The splendor of Damascus was an alluring embodiment of the wealth and beauty of Arabic culture. Our *muhajireen* settled in the vicinity of the Golan Heights at the turn of the 20th century. Here they were compelled to defend every square meter of living space in the face of resistance from the local tribes, which in those times was considered customary practice. Particularly violent were their conflicts with the Druze, against whom the Chechens went as far as to undertake a military campaign in 1924. With support from the French army, the Druze did their utmost to prevent the Chechens from establishing themselves in this part of Syria. However, the newcomers from the North Caucasus did more than assert



their right to live here: They forced their enemies to reckon with them, such that by the end of the conflict, the French preferred to ally themselves with the Chechens instead of the Druze.

Having acquired their right to these lands through armed struggle, the Chechens and Circassians were nevertheless forced to abandon them as a result of the Six-Day War in 1967. The Israelis occupied the Golan Heights

and declared them an integral part of Israel. The Chechens who did not wish to remain under the authority of Israel relocated to the environs of Damascus. On the whole, there were few Chechen lands in the country and they were scattered throughout Syria: Ras al-Ayn, Ayn al-Hamra, Al-Qamishli, Ayn el-Arab and Ar-Raqqah in the north of the country and Sinaniyya, Qurnat as Saffah and El-Kunaytira in the south. Besides these, there were a further ten or so communities scattered throughout the country, which had been founded by Circassians, Dagestanis and Ossetians. That said, the settlement of the North Caucasians was not as chaotic as it may have seemed from afar. The authorities intentionally sought to position our *muhajireen* near the Kurds, the Druze and the Armenians, thereby erecting natural barriers to possible anti-government action on the part of various Middle Eastern ethnic groups inclined to rebellion. Thus, in their adopted countries, our compatriots were used to buttress the interests of the ruling elites. Such a form of *muhajirism* was far removed from the kind envisioned by the North Caucasians, who had thought that they would enjoy freedom under the authority of the Ottoman sultan due to his having proclaimed himself the patron of all Muslims. They thought that they would be allowed to settle wherever they wanted, instead of where the authorities of this or that Ottoman province thought it was most advantageous to settle them.

North Caucasians played no small role in the fate of Syrian society. Chechen and Circassian military and political figures, scientists and artists became a common occurrence in Syrian history. In particular, Chechens proved themselves in the army (among the well known names are the military leader and recognized hero of Syria and Jordan, Shishan Farid Abdel-Hamid, as well as Brigadier General Ozdemir

Jamaludin, born 1945) and in government service (the Chechen Hassan-Bek was governor of the Al-Jazeera Province, the center of which was Deir ez-Zor). Likewise Chechen were Kharcho-Shukri, a calligraphy artist famed throughout the Arabic world; Baarshakho Hasan, who in the '40s and '50s served as head of security for Syrian president Shukri al-Quwatli; and Wappi Anwar, an advisor to the Syrian Ministry of Foreign Affairs. At the present time, the well-known writer Nadya Khost is also Chechen; it would not be difficult to name others.

The Chechens, Circassians and other North Caucasians of Syria maintained close relations with their compatriots residing in Jordan, Turkey and other countries.

After the fall of the Soviet Union in 1991, the residents of the North Caucasus obtained the opportunity to go abroad and, in particular, to re-establish connections with their fellow tribesmen in Syria. Beginning in the 1990s, thousands of Chechens and Dagestanis began studying in Islamic universities in Syria. Despite the fact that Bashar al-Assad's government formally adheres to a socialist ideology, a significant part of the country's populace lives according to Islamic law. The relationship between the Syrian state and its Muslim population was not always without conflict. In 1982, Hafez al-Assad, the current president's father, employed chemical weapons against the Kurds living in Hama. Precise data is lacking, but one way or another tens of thousands of people died as a result. Another problem in modern Syria is the fact that because the president is an Alawite, this minority rules over the 90 percent of Sunnis who make up the population.

Here it is worth pointing out that Alawism was once a Shia sect that later split off and is now reaching the stages



of becoming its own separate religion. In many ways this explains the severity of the Sunnis' — who comprise the absolute majority of Syria's population — resistance to the Alawites' power. There is not even a purely theoretical possibility of agreement between the Sunnis and the Alawites, since the Alawites revere Ali ibn Abi Talib, the fourth caliph and uncle and cousin of the Prophet (saw). Such a theological position is too extreme even for the Shiites who, though adherents of Imam Ali, do not go so far as to proclaim him God. The revolutions in the countries of the Arabic Maghreb (Tunisia and Libya), as well as in Egypt, encouraged Syrian Sunnis to believe that they too could liberate themselves from the rule of those whom they do not even consider Muslim.

Nonetheless, the Syrian Civil War ceased to be a purely domestic matter for the country's inhabitants two years ago. The war has long since become an international conflict as a result of the many other countries' interests embroiled in it, as well as due to the masses of volunteers from all around the world who have thronged to Syria wishing to aid the resistance against the Alawite regime in power.

Against this background, the desire of many North Caucasians, Chechens in particular, to go to Syria is not entirely understandable. We are speaking here of a country of 22.5 million people, in which just about every country of the Arabic world is helping the opponents of Bashar al-Assad's regime. We should recall that these 22 countries comprise a total population of 345 million peo-

ple with a total land area of approximately 5 million square miles. And this is not even mentioning the fact that the rebels are being aided by Turkey and numerous Islamic countries. That is, almost the entire Muslim world, with the exception of Iran, is on the side of the rebels. As such, we are talking here about the support of a billion people. Finally, to top it all off, even the countries of the West and the United States would not mind seeing the rebels defeat Bashar al-Assad, even if — wanting to avoid a repeat of the Libyan scenario — they refuse to commit their own forces. With all this external support provided to the Syrian rebels, the wish of certain Chechens, Dagestanis and other North Caucasians to die in this country, fighting for those who are hundreds of times more numerous than us — all the Muslims of the North Caucasus put together — is hard to understand.

Ever more frequently in the international press, one comes across mention of Chechens actively fighting with the rebels against President Bashar al-Assad in the Syrian Civil War. It is thought that the foreigners fighting there number, on the whole, about fifteen thousand people. Perhaps in actual fact there are more — and perhaps there are fewer. No one has counted and everyone's numbers are based on very approximate impressions. Nonetheless, even with such an inflow of foreign volunteers, for some reason, the entire world is speaking specifically about the Chechens. It would seem that with such a large overall number of fighters, one could only speak of a fairly small percentage of Chechen participants. However, if one listens to what the media has to say, there is no one fighting there but Chechens. At the same time, for the Syrians themselves, the Chechens' presence in Syria frames this conflict in a broader context than a simple clash between local Sunnis and the ruling Alawite minority.

In the meantime, all of this seems fairly peculiar. A Chechen is not a warrior seeking adventure — he does not hire himself out to foreign armies or submit himself to foreign codes. After all, there were no Chechens in Iraq or Libya. So why Syria? It seems that a key factor here is that Bashar al-Assad appears as a dictator and murderer of Sunni Muslims. Probably, the opposition between the Sunnis and Alawites is likewise a factor: Chechens and other Sunni Muslims consider their participation in the Syrian Civil War to be permissible because the Alawites receive support from the Shiites of Iran and Lebanon.

As for the actual number of Chechens fighting in Syria, it should be said that every source tries to exaggerate it many times over. Many draw a picture which makes it seem that there are currently several thousand Chechens in Syria. At this stage, this is unlikely.

The emigrants from the North Caucasus are unified in the Jaish al-Muhajireen wal-Ansar brigade, which was formed from Chechens and other North Caucasians. Naturally, there is a large number of local Arabs among them, thanks to which the total number may reach 1,500. The leader of this brigade of foreigners from the North Caucasus is Abu Omar al-Shishani (Tarkhan Batirashvili), an ethnic Chechen from Georgia who had earlier fought in Chechnya and was, before that, a member of the Georgian MVD's Spetsnaz. In the summer of 2013, he was appointed northern commander for the Islamic State of Iraq and the Levant (northern Syria). There are other no-less-famous Chechen commanders: Amir Muslim (Margoshvili), fighting in the south of Syria; Amir Sayfullakh (Ruslan Machaliashvili); Amir Salakhadin; and Amir Abu-Musaaba (Musa).

If the number of Chechens among the ranks of Syrian rebels could theoretic-

cally be between several hundred and one thousand people, then according to data provided by a source close to the Dagestani MVD, there are 126 persons in this unit from that particular republic. However, this estimate probably does not take into account those Dagestanis who came to Syria from the countries of the Arab East, having left Russia even before the beginning of the Second Chechen War in 1999. Therefore, the Dagestan UFSB number of 200 persons is probably closer to the truth, but even this may be too low if we account for those who came from Egypt and Saudi Arabia, where they were studying at this or that Islamic university.

By the way, among these volunteers, a few have caused quite a stir in Syria. In particular, we should note Amir Abu Banat (Magomed Abdurakhmanov), a native and resident of Khadzhalmakhi in the Levashinsk District of Dagestan and an ethnic Dargin who formerly served in the law enforcement agencies of the republican MVD. He was accused of coercion and robbery of the local populace and, by order of Amir Omar al-Shishani, was forced to leave Syria. Abu Banat is likewise accused of possible involvement in the murder of two Catholic priests in Syria.

Initially, the Chechens in Syria consisted of students and those who had been forced to flee Chechnya with the opening of hostilities — and who later found themselves in Syria or nearby Egypt. Later, however, a torrent of Chechens began to flow into Syria from European countries where they had been living as refugees. The largest contingent of volunteers came from Austria, the parliament of which was even compelled to lodge an official inquiry with the Austrian Federal Ministry of the Interior about this fact. In the first two years of the conflict, it was rare for anyone to go to Syria from Chechnya directly. But even this



changed. Now, for instance, there are even women among those who have traveled to Syria from Chechnya. This issue has even been publically addressed by one of the Chechens in Syria, who speaks of the inadmissibility of such a thing, considers it a direct insult to all Chechens and demands that women be refused access.

It is very simple for young people to travel from the North Caucasus to Syria. Every day, there are two or three flights from the region to Turkey, with which Russia has a visa-free regime. The approximate ratio of our compatriots who have gone to Syria is ten Chechens from Europe for each Chechen from Chechnya. However, until serious research has been conducted in this area, any data of this type can only be considered approximate.

Anyone who travels to Syria these days claims that it is his duty as a Muslim to participate in the holy jihad. Without delving into the nuances of the theological concept of jihad, I will merely cite the opinion of independent Muslim clerics in the Middle East who, while acknowledging the jihad in Syria, nevertheless do not advise other countries' citizens to participate in it. Thus, Salman al-Ouda, a prominent Islamic scholar, explains that physical participation by foreigners in the Syrian jihad is inexpedient. This is not because he does not love Syria — most likely, he loves it much more than those who blindly rush to join the war there. Rather, he calls for an understanding of the events there and for compassion for the Syrians but believes that the problem won't be solved by the entire Muslim world

rushing there. The Syrians themselves must solve the problem. Naturally, hundreds of other sheikhs are willing to contest this point of view. However, anyone interested in rendering a responsible judgment, must proceed from the reality of the situation. If 90 percent of Sunnis wish to overthrow 10 percent of Alawites, they can do so without a thousand Chechens — assuming, again, that this is what the Syrians themselves want. Why wait for Barak Obama to have Bashar al-Assad hanged? We must have faith in the Almighty, instead of the omnipotence of the American president.

Time and again, information appearing in the media about Chechens in Syria shows that their numbers among the militants are steadily growing. With that said, the Chechen groups active in Syria do not always share the same attitudes toward, for example, the local populace, especially the Kurds and the Free Syrian Army forces aligned with the West. However, the Chechen segment is currently still casting about between the numerous Syrian groups, trying to remain fully independent. Even the fact that Amir Omar al-Shishani is, nominally, in the service of ISIL, is simply a tactical choice — a concession to the exigencies of the moment instead of a final decision.

But we must look toward the future as well. Ultimately, the Syrians will not allow outsiders to participate in creating their new state — even if these outsiders simply followed their hearts' calling. Today the newcomers are their allies; tomorrow they could become a burden. Chechens shall not decide the

future of Syria, but they do risk raising the Syrians' ire. The Syrians could come to an agreement tomorrow and decide that the Chechens are to blame for the strife. Even if the Chechens overthrow Bashar al-Assad tomorrow, they will remain unwelcome. The Syrians will never consider to ask the newcomers how they should arrange their state. And there is no need to tell them that a jihad is underway. Syrians learned Islam not through pamphlets written in Russian. For them, Islam predates even the great scholar Sheikh Ibn Taymiyyah. Our students, barely having learned the ABCs of the theology and barely speaking the little Arabic they know, should not attempt to teach Syrians how and with whom they should live. The Syrians are more than capable of teaching Islam themselves. No — Chechens are not fighting their own war in Syria. As Salman al-Ouda puts it, "Leave the fighting itself to the Syrians."

The Chechens have shown that they are good warriors and that they can wage war effectively. Now they must prove that a Chechen can also act responsibly and not allow himself to oppress peaceful people. After all, who better than a Chechen knows what it means when the rights of peaceful citizens are violated and how indefensible it is to do so? Today, Chechens are feared — but it is more important that they be respected. And it is much harder to earn respect than to win a battle.

The war in Syria has shocked the Islamic world in that part of the world. The consequences of these upheavals may be more serious than those caused by all the revolutions of the Maghreb and Egypt put together. Moreover, the North Caucasus cannot avoid the effects of this conflict. The genie has been unleashed in the Middle East. Getting him back into the bottle in the coming decades will be incredibly difficult. If at all possible.

MAGOMED EVLOEV IN ILES TATIEV, INGUSHETIA GETS ITS FIRST POLITICAL PRISONER

On December 13, 2013, Sunzhensky District Court sentenced Iles Tatiev, head of the organizing committee of the Congress of the Ingush People, to three years in a general regime penal colony. This is the first time in the Republic of Ingushetia that an opposition member has remained alive and received a prison sentence.

Before Mr. Tatiev, anyone who dared oppose the republican authorities was sent to their family cemetery instead of a jail cell. Perhaps, Mr. Tatiev was lucky. After all, he was not arrested in Ingushetia where he could have easily been killed following an unlucky accidental discharge of a weapon belonging to one of his guards or even simply in the course of "resisting arrest." Ingushetia has long since become a place where people disappear, are abducted or die under mysterious circumstances. This is why it was no accident that Moscow became the chosen site for the Congress of the Ingush People, which elected Mr. Tatiev as head of its organizing committee. The convention hall that the Ingush organization rented in Moscow's Salut Hotel became a safe area for congress members. Here, they could make presentations without fear of being abducted or killed as they arrived. The Ingush authorities did everything they could to

prevent the congress from happening. The opposition spent almost a year trying to get permission from Mr. Yevkurov's officials to hold the meeting in Ingushetia, but over and over again the authorities would find some excuse to deny permission, each one less elegant than before. It got to the point that clerks in the republic's capital began refusing to accept the opposition's letters petitioning for permission to hold the meeting. This was why activists and opposition members were finally forced to look for truth in the Russian capital. It turned out that, even there, they were not beyond the reach of Ingush officials.

The summer of 2013 was the summer of hope

There were some romantics remaining in Ingushetia who believed that if they could just fully document to the Kremlin the Ingush desire to elect their

Iles Tatiev (second from right) at a press conference in Moscow about the Congress of Ingush People



own republic head, the Kremlin would naturally listen to them and amend its decision.

The risible assembly of the "Ingush People" held by Mr. Yevkurov in Nesterovskaya Stanitsa, at which the majority of delegates had been carefully vetted by the administration, delegated the right to elect the head of Ingushetia to the republican parliament. But who were the delegates of this assembly? Republican officials; activists devoted to the authorities; Ingush-Belgian citizens who in the early 2000s had fled to the West in search of a better life or else athletes who would return to their homeland to visit their parents during breaks between competitions and training. As for the republican parliament, local residents do not mention it in polite society. Any trust placed in the "people's deputies" — the very same deputies who obediently resolved that Prigorodny District, the cradle of the Ingush people, should become an integral part of the Republic of North Ossetia-Alania — has long since been irrevocably shattered.

Iles Tatiev was one such romantic. To the authorities' chagrin, he did not go underground or flee to the West (though he could have — while on a trip to Europe, he had been warned that he was under criminal investigation); instead, he began to fight for the Ingushes' right to elect their republic head autonomously. Mr. Tatiev's appointment to the position of head of the organizing committee was also no accident: Living and working in Moscow, he was the one who resolved all the issues of venue, transportation and accommodation for congress delegates. During his last days of freedom, he was occupied with managing a mass media PR company. Mr. Tatiev was arrested on his way to an interview with the radio station Echo of Moscow. The republican authorities hoped to derail the Congress through his arrest, but the Congress went on regardless. In its course, the Ingush delegates drafted a petition requesting that the Kremlin relinquish their right to elect the republic head. The Kremlin did not hear their request.

Chechnya exceeds many regions of the Russian Federation in birthrate but also in child mortality



TAUS SERGANOVA, INNA AYREPETYAN A HIGH BIRTHRATE, A HIGH MORTALITY RATE

Over the past decade, the demographic problem has become a major topic of discussion throughout the nation. Top government officials and famous politicians include this problem in their political platforms, discussing it on numerous talk shows. The population of the Russian Federation is aging. Government measures for increasing the birthrate are not having a significant effect — in many regions of the country, population growth remains very low. For the moment, however, the issue is being resolved in the southern republics. One of the leaders in this baby boom is the Chechen Republic. According to Chechen Ministry of Health data, 29 newborns are born for every 1,000 women of childbearing age, while the RF average is 10.2.

DOSH magazine investigates what exactly stands behind such optimistic numbers, analyzing Chechen demographics in the present day.

Even back during Soviet times, the Chechen-Ingush ASSR led the country in infant mortality. The reasons for this were not publicized; however, it was evident that the oil, chemical and construction industries concentrated here did not improve the health of the local residents, especially the very young ones.

These days, after the two wars, almost none of the former oil and gas industry remains in Chechnya. In terms of harmful facilities, there is only a small number dedicated to oil extraction. Therefore, it would seem that people should be able to live in a relatively clean environment and their children should be healthy at birth. The reality, however, is far from ideal.

Let us begin with hard figures. According to Chechen Ministry of Health data for 2012, the total popula-



tion of Chechnya is 1,275,219 people. Children, aged 0-17, comprise 34% (442,232) of this number. The Russian Federation average is 22%.

Ministry of Health analysts indicate a high rate infant mortality in analytical reports for the post-war years. Below are figures showing that, along with birthrate, infant mortality in Chechnya exceeds many of the constituent entities of the RF. In 2012, there were 37,335 children who were born living. Of them, 655 died before reaching the age of one; of this number, 591 children died within the first month and 478 died within the first week after birth. There were 306 stillbirths.

Chechen Republic analysts believe that the reason for such indicators is the high incidence of disease among

women of childbearing age. The Chechen Ministry of Health report notes that "basically every woman entering the maternity ward has two or three comorbidities. Especially notable is the steady growth in the number of women admitted with infectious, endocrine and cardiovascular diseases." Aside from this, the report cites insufficient quality of healthcare, low numbers of doctors and their low qualifications, as well as patients' untimely seeking of medical care, as factors influencing the infant mortality rate.

In Chechnya, 74.4% of pregnant women are diagnosed with anemia (in particular, iron-deficiency anemia), whereas the RF average is 37.5%. Other diagnoses include diseases of the genitourinary and circulatory systems, venous morbidity and thyroid disease.

In 2012, Chechen maternity wards saw 32,937 births: 2,694 less than in 2011. Of these, 51% were normal — that is, half of all births were abnormal. Medical experts claim that the number of deliveries with surgical intervention has increased due to a marked and stable increase in fetal asphyxia and growth cessation. C-sections were performed in 6,652 cases — that is, 202 for every 1,000 births.

According to most recent census data, women comprise 49.2% (624,013) of the population. Of these, 338,785 — or 54.9% — are of childbearing age; the RF average is 48.3%. Every year, 35-36 thousand births are registered in the Chechen Republic. These figures suggest that, relative to the indicated number of births, the required number of neonatal beds should be 138, when in fact there are only 100 beds available.



Intensive care requires 90 beds, while, currently, there are only 36 available. Neonatal resuscitation requires 45 beds, while only 18 are available.

The staffing situation reflects the above data. And yet, this issue is the most pressing in this chain of causes and effects. There is a critical lack of pediatricians, especially at the district level, where there are only 170 out of the 465 required. The average number of children for every pediatrician is 2,038. Thus, coverage is four times smaller than the RF average.

Returning to the problem of infant mortality, we will once again cite the opinion of republican medical experts who claim that "infant mortality will continue to grow, since we are registering more newborns with low to extremely-low body masses. The mortality rate among these is high and they comprise 65.7% of the overall number of newborns."

Aside from the causes listed above, the experts cautiously point to adverse socio-economic conditions, among them the environment, as the main causes for such bleak indicators. Experts in this area claim that the environmental factor plays an extremely significant role in child mortality. For example, breast milk gathered from residents of Gudermessky District and sent to Moscow for tests was found to contain a high level of carcinogens. This study was conducted regionally by a Bashkortostan organization with approval from the Chechen Republic Parliament Committee on the Environment. The many years of oil evaporation throughout the republic still show their effects to this day.

Chechen experts claim that federal military authorities have drawn up a map of the Chechen Republic that indicates districts that are ecologically hazardous.

Our source confirmed this and pointed out that this information is classified. The Russian Ministry of Defense did not respond to our inquiries. Neither the scientists nor the civilian authorities have access to this data.

One way or another, data about the high birthrate and successes in health-care in the Chechen Republic will remain incomplete, since a simple analysis shows that there are, unfortunately, other no less significant indicators that demonstrate the opposite.

PS. In mid-November of this year, federal and regional news agencies and publishers disseminated an announcement under a fairly optimistic headline: "Birthrate in Chechnya exceeds mortality rate five-fold."

Citing Ramzan Digaev, the head of the Federal State Statistics Service for the Chechen Republic, the report claimed that during nine months in 2013, the Chechen Republic saw 24,885 births and 4,977 deaths.

Mr. Digaev also noted that Chechnya is among the leaders by birthrate and marriage rate in Russia, with 6.5 marriages for every 1,000 people.

The Caucasus Initiative Center had already investigated this question. Our figures, taken from official reports published by the Chechen Ministry of Health, do not engender similar optimism. Child mortality is very high; the preterm birth rate exceeds 60%; maternity wards are admitting large numbers of expectant mothers with several comorbidities; there is a dire lack of pediatricians; and at the Central Maternity Clinic in Grozny, it is considered normal to have 6-7 infants die daily.

During our private conversations, medical experts described Chechnya's infant mortality rate and available pediatric services as catastrophic.



IGOR KALYAPIN AS LONG AS PEOPLE TURN TO US FOR HELP, WE WILL CONTINUE WORKING IN CHECHNYA

In the fall of 2009, a few months after the murder of Natalya Estemirova, an employee of the Human Rights Center Memorial, and following the Center's temporary cessation of activities in Chechnya, the Russian human rights organization created the Joint Mobile Group (JMG) of human rights activists for Chechnya.

***Igor Kalyapin** is the founding head of the JMG, as well as the director of the Nizhny Novgorod-based Committee Against Torture and, as of 2013, a member of The Presidential Council of the Russian Federation for the Development of Civic Society and Human Rights. Mr. Kalyapin sat down with **Abdulla Dudaev** and spoke with him about the JMG's work in Chechnya, about why criminal investigations are dragged out indefinitely and about his meeting with Ramzan Kadyrov, the head of the Chechen Republic.*

Does the JMG have information about abductions and summary executions in Chechnya for the past year?

Yes. Several people approached us in 2013, whose relatives had been abducted by unknown persons — presumably police officers. Besides this, there are complaints filed by people who claim that they were detained by the police and held for a significant amount of time (8 to 40 days) on the premises of various MVD divisions — without legal paperwork, without notice of relatives and without provision of legal counsel. For all intents

and purposes, these people had been abducted. All of these cases are currently under official investigation by the Investigations Department of the Russian Investigative Committee for the Chechen Republic. Our lawyers are representing the plaintiffs in these investigations.

How many cases have you taken on since the JMG began its activities? How many of them have been brought to a close?

As of November 2009, the JMG has taken on 18 cases. As of today, not a single one has gone to trial. Moreover,

for the majority of these cases, going to trial is not even an option at the moment. There are only a few cases in which an investigation still may establish the suspects' identities and prove their guilt. Whether this will ever become a reality, whether the investigators will have the courage to finish their work, I cannot say. I can only promise that we will do everything that we can for this to happen. In the other cases, we will go on with our work, even if just to ensure that the victims receive fair compensation in the European Court and that the investigators who failed to conduct an effective investigation are punished.



We can do no more in such instances. These cases fell apart because the Investigative Committee investigators did not take the appropriate measures to collect and record evidence in a timely manner, thereby shirking their duties in one way or another. Unfortunately, we cannot issue orders to investigators to undertake this or that investigatory measure. We can only submit petitions to this effect — which, in effect, is the same thing as making a recommendation or asking. Sometimes our petitions are denied and then invaluable time goes by while

we appeal the refusal in court and while the court examines our complaint. Oftentimes, when an investigator is instructed by the court that his refusal of our petition was unlawful, he formally agrees to perform the investigatory measure we requested, but then a month goes by and nothing happens. Such practices — when, on paper, investigatory measures are planned but in reality are never even started — is very typical for the Investigative Committee's work in the Chechen Republic. As a result, time goes by and evidence of the crime disappears.

What leads to the so-called cold cases [criminal cases that never reach trial — Ed.]? What is the main obstacle to their examination?

While investigating a crime, it is not merely enough to duly perform a series of operational-investigatory measures in the correct order. It is extremely important that they be performed in a **timely manner**. We are constantly encountering utterly unjustified delays. In one of our cases, we were forced to spend eighteen months on forcing the investigator to extract a bullet lodged in a wall at the scene of an abduction. If it had been extracted right away, we could have identified the specific weapon it had been fired from and thereby established the identity of the police officer who carried it. However, the investigator did not want to do this. At first, supposedly, he simply did not notice the bullet during an examination of the crime scene. I use the word "supposedly" in full confidence, since it had been established from the very beginning that the abduction had been accompanied with gunfire and that the police had wounded the person they abducted with one of their assault rifles. Any child would conclude that, if there was a shooting, then there must be bullets in the building's walls. Yet somehow this did not occur to the Investigative Committee investigator and he did not bother to look for a bullet. When our lawyers discovered the bullet hole, the investigator avoided extracting the bullet for a long time (and, keep in mind, that only an investigator can do this). As a result, the bullet was extracted only half a year later and, due to significant corrosion, turned out to be useless for identifying the weapon. Such situations are, unfortunately, all too common. And the heart of the matter here is of course not the investigators' incompetence, but their basic fear and helplessness. They are afraid of looking



for the perpetrators. It's too dangerous for them to find them. The investigators understand that the abductors are police officers working for the MVD of the Chechen Republic — that is, they are people who are basically untouchable. Let's say the investigator performs a proper and timely investigation and establishes that the suspect is a police officer. What is he supposed to do then? According to the law, he must bring him in, interview him, conduct an identification, arrange a line-up, and, if necessary, detain and arrest the suspect. But the investigator understands that he cannot do any of this. The police officer under suspicion will not appear for the interview. The witnesses and plaintiffs will instantly become subject to intimidation. Even the investigator himself will start encountering problems. The case will fall apart one way or another, while he, the investigator, will acquire enemies among the police. It's a sad state of affairs, isn't it?

What, in your opinion, are the causes for this situation?

There are several. I would point to three in particular.

Firstly, certain high-ranking supervisors of the Chechen police believe that criminality may be fought by any available means: falsified evidence, abductions and month-long detentions without legal counsel, torture, intimidation and deception. The fact that basically any person — including someone entirely innocent — may be designated a criminal by being forced to confess to the Kennedy assassination or even to arranging the Great Flood does not much perturb those who believe in such a course of action. For some reason it does not occur to them that this kind of "work" is in itself against the law and constitutes grave official malfeasance. And yet, unlawful conduct by the police gives the ideologues of terrorism in the North Caucasus the opportunity to call for armed struggle against Russian authority and facilitates the dissemination of anti-governmental, extremist attitudes. For some reason, police leadership does not care about any of this: The guardians of order are so zealous to fight criminals that they themselves turn into bandits. It is this connivance — and at times open support on the part of the leadership — that gives police officers who are suspected of a crime the opportunity to ignore the demands of Investigative Committee investigators, not appear at official interviews and sometimes even openly threaten investigators and intimidate witnesses.

Secondly, the Investigative Committee for the Chechen Republic is itself in effect incapable of exercising measures of procedural compulsion. If in Nizhny Novgorod or Orenburg Oblast, a police officer fails to attend an Investigative Committee interview without a good reason, his own colleagues will bring him in, in handcuffs, the very next day. And if they don't, then agents from one of the MVD's or FSB's special detachments will. However, this kind of thing does not

happen in Chechnya. In effect, law enforcement agents in Chechnya have established their own dictatorship where Russian laws are viewed as recommendations that can be performed or ignored at will.

And finally, thirdly, in a situation where the police have absolute power, nothing is done to protect the victims and witnesses. As a result, both are intimidated and end up retracting any testimonies that implicate police officers. In all the cases I mentioned above — the ones that still have a chance of going to trial — we were forced to evacuate the victims to different regions of Russia and enroll them in witness protection programs there. The witness protection department in the Chechen Republic has shown itself utterly ineffective in this situation. Police officers who work for the witness protection department are unwilling to protect plaintiffs from their colleagues' illegal pressure. Moreover, it seems like they are simply incapable of doing so.

In 2010, you met with Ramzan Kadyrov in Grozny. How did your meeting go? What did you talk about? And why were you unable to find a common language? The head of Chechnya suggested that you refused to accept his offer for collaboration. To be precise, here is the quote from his interview with Snob magazine: "I met with Mr. Kalyapin. I told him, 'Let's work together.' He kissed and embraced me. I knew that he wanted to advertise himself. I gathered everyone together and said, 'Okay, show us the evidence.' But he ran away and started with his doubletalk. I told him, 'Don't go. Let's have another conversation...'"

I really did have a one-on-one meeting with Mr. Kadyrov, during which I confronted the head of the Chechen

Republic with all the problems described above. Back then, we had eight abduction cases and in each one I could see the Investigative Committee's utter incompetence to conduct an investigation. The police simply ignored the investigators and, what is more, everyone — from the rank and file traffic cops to Mr. Alkhanov, the minister of internal affairs for the Chechen Republic — demonstrated this kind of insouciance.

I don't believe at all that Mr. Kadyrov and I failed to find a common language during our conversation. On the contrary, Mr. Kadyrov assured me that he never defended and never would defend those who broke the law, regardless of their rank, position or prior plaudits. He promised to hold a meeting with the republic's prosecutor and minister of internal affairs in order to clearly articulate his position on the matter. He kept his word: There was indeed such a mini-meeting in the beginning of March. In the presence of Mr. Savchin, the prosecutor of the Chechen Republic, Mr. Kadyrov told Minister Alkhanov that there could be and should be absolutely no reason for an officer to fail to appear before an Investigative Committee investigator. If the police officer is occupied with a field operation, the investigator should be called and notified and a new appointment time should be agreed upon as soon as possible. At the time, it seemed to me that Mr. Kadyrov was earnest and I expected some kind of radical changes after that meeting. But absolutely nothing changed. Even in those eight cases that we discussed with Mr. Kadyrov, everything remained the same. As before, the investigators were not provided with information from police documents and as before, the officers did not show up to their interviews. And they still don't. I tried calling Mr. Kadyrov using the number that he gave me during the meeting. He never answered. I tried to arrange

another meeting with the aides who were present at our conversation but it was to no avail. I never fled anywhere from the Chechen Republic. I go there quite often, while my employees are there all the time. Never once have I received any invitations to "have another conversation" from Mr. Kadyrov himself or anyone else from his administration. And that's too bad because there are things worth discussing. As for the "kisses and embraces," I think that Mr. Kadyrov has mistaken me for someone else.

You submitted a membership application for the newly-created Council for Human Rights under the Head of the Chechen Republic, an analogue of the similar Presidential Council of Russia. Why do you want to be a member of two councils? Does membership in the federal Council prevent you from solving important issues in the regions? What is the reason, in your view, for your being denied membership in this council under Mr. Kadyrov?

When it comes to my desire to work with the Human Rights Council under the Head of the Chechen Republic, I really did submit such an application, hoping that I would be invited to join. Firstly, this would have given me the opportunity to directly interact and resolve certain issues with the chief of the criminal police of the Chechen Republic, Deputy Minister of Internal Affairs Apti Alaudinov, who is also a member of the Council. Secondly, it seemed important to me to, even if rarely, be able to submit the information I had about crimes perpetrated by Chechen police directly to the head of the republic. Thirdly, as a member of the Presidential Council of Russia, it was important for me to see for myself how the representatives of civil society and Chechen civic organizations interact with the republican leadership —

to what degree they manage to find a common language and achieve concrete results. Well, and aside from all this, I am the head of an inter-regional human rights organization — the Committee Against Torture, a subdivision of which has been operating in the Chechen Republic for five years now. Our work concerns an issue that the residents of Chechnya themselves consider to be highly significant. Through our work in the other parts of the country, we have seen that it is possible to solve the problem of unlawful police coercion, even though doing so requires a lot of difficult work. The police begin to understand that such conduct can not only lead to their dismissal but even land them in prison. As a result, the situation becomes at least partially manageable. When this happens, everyone wins: the civilians as well as the MVD, which, as a result of our efforts, is purged of scoundrels who compromise the police in the eyes of the population. For the moment, however, all our work in Chechnya has not yielded any results. I considered my joining this Council to be the right step, but they did not invite me, so I decided to take the initiative and apply myself. I was politely declined. I don't consider it necessary to discuss this further, since I think that everything is pretty clear. The important thing is something else. Whether I meet with Mr. Kadyrov or not is his business. He is, as they say, "within his right" here. I cannot force him to work with me. But we will work in the Chechen Republic — with Mr. Kadyrov or without him. Our main instruments are Russian laws — our legal team knows how to use them. As long as Chechnya is a part of Russia, we will try to ensure that its residents enjoy the protection of the Russian Constitution and Russian law, which guarantee the complete observance of human and civil rights. As long as people turn to us for help, we will continue working in Chechnya.

New Years tragedy in Volgograd

The last two days of 2013 were marred by two bloody terrorist attacks in the south of the country - in Volgograd. With an interval of less than a day, on 29th and 30th of December, there were two bomb explosions in this city that claimed dozens of lives. The first happened in the railway station, the second - in one of the city's trams.

