

INFORMATION AGENCY “FOR HUMAN RIGHTS”

All-Russian Nongovernmental Movement “For Human Rights”

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3-14 October human rights watch against torture and filtration

The Movement “Beaten Russia” (the Movement for Combating Tortures, Mopping-up Operations and Filtrations) established on 27 July 2005 together with the Movement “For Human Rights” began a human rights watch (continuous picketing action) at the building of the Museum of History at the Revolution Square.

For the time being the action is planned to be conducted until 14 October. The action started on 3 October with a rally of protest against the arbitrariness of law-enforcement and armed (*siloviki*) agencies, torture and beatings, issuance of anti-constitutional orders. Then there was a picket held by the human rights activists from Krasnodar Krai, from the organisation “Mothers for Protection of Rights of the Detainees, Those under Investigation and Convicted”.

On 10 October, the baton will be taken by the picket from Elista – human rights activists from Kalmikia will demand bringing to responsibility those who were guilty of organisation of mass beatings on 20-21 September 2004, starting with president Iliumzhinov. These actions have been granted sanctions of authorisation.

The main objectives of the human rights watch of 3-14 October shall be: a) to express a protest against the violation by officials and officers of law-enforcement agencies and armed forces of law, cruelty and arbitrariness on their part in the course of the events in the system of establishments of execution of punishments, in the cities and settlements: Elista, Blagoveshchensk, Bezhetsk, Rozhdestvenno, Ivanovskoe Village, Stanitsa Borozdinovskaya; b) to bring to responsibility the officials and officers of law-enforcement agencies and armed units who were party to violation of the constitutional rights and freedoms of citizens, insulting and humiliation of personal dignity of citizens, to dismiss from their posts President Iliumzhinov, Minister of Internal Affairs of the Russian Federation Nurgaliev, chief of FSIN (Federal Service for Execution of Punishments) Kalinin and director of FSNK Cherkesov; c) to demand discharging and bringing to criminal responsibility of the officials who are guilty of organisation of mass violations of human rights or connivance with such violations; d) to demand abrogation of all disgraceful anti-constitutional orders of the MVD “for service use” on filtration stations and “emergency circumstances”; e) to demand publishing of all normative acts of the MVD (Ministry of Internal Affairs) including those with the DSP (for service use) status that concern the rights and freedoms of man and citizen.

Portal «Human Rights in Russia»

This picket will be without time-limit

Tatiana Rudakova, leader of the Inter-regional Organisation “Mothers for Protection of Rights of the Detainees, Those under Investigation and Convicted” (Krasnodar)

We held the watch “Beaten Russia” conscientiously for five days, from 3 to 7 October, and passed the baton to Kalmikia. The objective of our action is to draw attention of the public to the problems of beaten Russia, to collect signatures under our address.

We hear more and more about mass “mopping-up operations”, use of torture, falsification of criminal cases. It should not be hushed up, the public should know about it so as to prevent the problem from growing further although even what we have today is also terrible.

We demand a meeting with the President, the guarantor of our constitutional rights, because practical experience of our work shows that for protection of rights of those against whom criminal cases were fabricated and those who were forced by means of torture to false confession is impossible in the ordinary way through courts. The judicial resources existing in our country for that have been exhausted. The governor just does not react to our appeals. And we want to know the position of the President with respect of mass repressions against our children.

When other regions will have held their watch we are ready to come again and continue our picket for the second and third round...

This picket will be permanent until the President responds and our demands are fulfilled!

Sobinform

A witness in the case, president of “Lukoil” Vagit Alekperov did not come to the Basmany Court 22 times. Will he appear for the 23d time?

The case of Mikhail Litvinov is heard at the Basmany Court. A witness in the case is Vagit Alekperov, president of OAO “LUKOIL”, who, according to the official court records, did not appear in the court 22 times (was not summoned?). Next session of the court will be held on 13 October this year at 11:30 A.M. We are looking forward impatiently to see if Mr. Alekperov appears in the court and whether the just Basmany Court takes any measures for forced bringing of the important witness...

M.M. Litvinov – a Moscow-based scientist – has been persecuted for more than 6 years on a charge of fraud. Now his case is considered in the Basmany Court. The investigator unjustifiably found the “Petrokommerts” Bank to be a victim. The bill of indictment reads that M.M. Litvinov drew up the documents of transfer of his money for a loan later than gave the money but returned the money having won the trial.

Plenums of the Supreme Court of the Russian Federation (SC RF) explained a number of times that a return of one’s own property has no attributes of "theft" and, hence, fraud. Other attributes of fraud – unlawfulness and that the proprietor has transferred the money voluntarily to Litvinov (acting under the influence of a deceit) is not present either. But it does not prevent his being held in SIZO for 3 years prior to a verdict, i.e. to serve already a stricter punishment than he can be given under the law.

Sobinform

Georgy Vasiliev: “Nord-Ost” is driven out of Russia”

- *Why did still “Nord-Ost” become a social outcast?*

- I do not understand that. There are many theories. Probably, the city authorities take too much precaution in St. Petersburg, Yekaterinburg, and Novosibirsk. We were not allowed into the biggest cities of Russia simply. The St. Petersburg theatre “Music Hall” where the first night of the travelling version of “Nord-Ost” should have taken place was closed by the city authorities under the pretext of it being in a breakdown condition. And two weeks after that when the threat of our musical passed away the theatre was opened again. It was ugly and dirty.

Somebody says that the very word “Nord-Ost” causes unpleasant associations in those with power – it is perceived as a defeat of government. Unfortunately, many politicians tried to use “Nord-Ost” in their election campaigns. There is current also a theory that the closing of the performance is linked to Khodorkovsky’s name who financed the creation of the travelling version of the musical through his “Open Russia” Fund.

Teatralniye Noviy Izvestia (Theatrical New News)

Not accidental people

The President elected his part of the Public Chamber

Last Friday President of Russia gave the names of 42 members of the Public Chamber. There are no public figures among them who would be noticed to have any opposition mood. At the same time the Chamber includes representatives of almost all religious faiths and ten new

members of the Chamber – men of science, culture and sports – in June 2005 signed the notorious letter in support of the verdict to Mikhail Khodorkovsky and Platon Lebedev. The final shaping of the organ of “public control” should be completed before the end of December – on the total the Public Chamber will consist of 126 members.

*Daria Guseva
Vremya Novostey (Moscow)*

Tiumen human rights activists will not go to the Public Chamber

*Tiumen human rights activists are not going to build themselves into the “civil vertical”
Statement of the Tiumen regional branch of the Movement “For Human Rights”*

We will not take part in the nomination of candidates either to the Public Chamber of RF or similar structures at the level of the Federal District. The ideas of “building the vertical” in the civil society, equally as the idea of forming any representative body, which would represent the civil society interests was squashed yet in 2001 in the course of the discussion prior to the calling of the Civil Forum, the most representative assembly of nongovernmental organisations in modern history of Russia. We will remind that at that Forum President of the Russian Federation was only a guest.

All processes in connection with designing the Public Chamber and similar structures are aimed, in the long run, at reducing the space of interaction of the society with government through the only “public partner” and at that controlled and convenient one. Such model of interaction is undemocratic; it does not comply with the provisions of the Constitution, which determine that the sense of all activities of government bodies is exactly in the realization of rights and freedoms of man and citizen.

By disseminating this statement we only emphasise our position, our beliefs and do not call other civil unions to anything. Our refusal to participate in any way in the process of formation of the Chamber will tell by no means on our relations with those nongovernmental associations, which for various reasons will deem it possible for them to take part in such a project.

*Vadim Postnikov,
Executive Director TRB
ARNGM «For Human Rights»*

Responsible for those whom they defended

Khodorkovsky’s lawyers are not afraid for their status

On representation of the Procuracy General, the Federal Registration Service of the Ministry of Justice continues in the most meticulous way checking the lawyers of ex-head of YUKOS Mikhail Khodorkovsky who was sentenced to eight years imprisonment in a colony. The “Rosregistration” announced once that the accusations of violation of the lawyers’ ethics against half of the defence lawyers of the oligarch were unfounded. But on the same day, due to unknown reasons, it hastened to reverse its words, having decided to review everything “more attentively”. The “objects of check” themselves are not afraid to lose their status at all and are even sure that the new initiative of the Procuracy General will play into their hands.

The question of debarring all lawyers of Khodorkovsky with the exception of Genrikh Padva was raised still during the hearing of the Moscow City Court when the cassational appeal against the verdict of the Meshchansky Court was considered. On 22 September, the greatly changed verdict of Khodorkovsky and Lebedev entered into force by decision of the higher instance. At the same time, despite the fact that the convicted were acquitted as a result of almost half of the offences, which the Meshchansky Court deemed fully proved, the term of punishment

was reduced only by one year – from nine to eight years of deprivation of liberty. Happy with such an outcome of the case, on the following day the Procuracy General announced in a loud voice that it had passed to the “Rosregistration” a representation concerning the information it had about violation of the professional activity by lawyers. Through official representative of the Procuracy General Natalia Vishnyakova the prosecution stated that contrary to the will of their client the lawyers refused to represent his interests in the Moscow City Court and for that reason the session of the court of cassational instance was greatly delayed.

On 23 September, the Moscow Chamber of Lawyers initiated disciplinary proceedings with respect of lawyers Anton Drel, Yelena Levina, Denis Diatlev, Karinna Moskalenko, Igor Mikheyev, Albert Mkrtychev and Vladimir Sergeyev. And the case of lawyer Yuri Schmit was sent for consideration to the Department of “Rosregistration” for St. Petersburg and Leningrad Oblast (since he is registered there).

While representatives of “Rosregistration” feel confused about the testimonies with respect of the fact whether there are in the actions of Messrs. Mikheyev, Sergeyev, Mkrtychev and Ms. Moskalenko the violations fraught with debarring them, the defence lawyers themselves look rather calm. The fact that precisely the Procuracy General – their immediate opponent in the criminal epic of YUKOS – became the initiator of persecutions against Khodorkovsky’s defence lawyers – would become, in their opinion, one more confirmation of their rightness in the eyes of Russian and international public...

*Yekaterina Butorina
Vremya Novostey (Moscow)*

When there is no freedom of speech, there is freedom of posters

In the conditions when the Russian mass media are taken under total control the opposition has no possibility to bring its vision of the situation to the population of the country. So there is nothing left but to go out into the streets and organise mass actions. Therefore, these actions have two functions. They are both a form of protest and a means of bringing the truth of the opposition to citizens.

In Voronezh activists of the OGF (United Civil Front) began exactly this activity and during summer, despite the fact that it is “a dead political season”, organised more than 10 rallies, pickets and demonstrations. They chose the place for their actions to be the square named after I.S. Nikitin near the cinema “Proletariy”, in the very heart of the city, which from now on will be a traditional place for our communication with Voronezh inhabitants.

This activity was energetically continued also in September. The themes for public actions are given by life itself. On 1 September, during the anniversary of the tragic events in Beslan, Voronezh activists of the OGF reminded their countrymen of what and how it happened in that North Ossetian city. It is a year already that the mothers of Beslan demand from the government to conduct an objective investigation and punish the true authors of this tragedy – the FSB head Patrushev and other officials on whose uniforms there is an indelible spot, blood of innocent people.

The members of the movement also held an action in support of Mikhail Khodorkovsky and Platon Lebedev, a picket as a sign of protest against the initiative of the City Duma deputies on abolition of direct elections of the head of the city. And the last action was devoted to the 6th anniversary of the events in Riazan in connection with discovery in the basement of one of the living houses of a bagful of hexogen planted by the Russian secret service officers, allegedly, to check vigilance of the Russians. This could lead to death of innocent peaceful citizens, which later was confirmed by an independent Public Commission. All actions have a good informational support: prepared in advance leaflets are distributed among Voronezh citizens.

The people should know the truth of where Putin leads the country and how it may end for Russia. The Voronezh OGF tries to consolidate opposition organisations of the region – SPS, the

Republican Party, “Soldiers’ Mothers of Russia”, the Youth Human Rights Movement – in order to stop the dawning of dictatorship.

*Pavel MANZHOS, Gennady PANKOV,
Members of the Regional Board of
Voronezh Branch of OGF NET
// Novaya Gazeta (Moscow)
supplement
“United Civil Front”*

The court did not believe the guarantees of Victor Gerashchenko

The case of a YUKOS lawyer is heard

Closed preliminary hearing of the criminal case of deputy head of the legal department of “YUKOS-Moscow” Svetlana Bakhmina took place in the Simonovsky Court of Moscow. The Procuracy General accuses her of multi-billion theft and non-payment of personal income tax.

The 35-year-old defendant was brought under the guard of the militia escort, which was duplicated by special purpose troopers. The hearing lasted for about three hours. The lawyers overwhelmed the court with motions. They requested to return the case to the procuracy due to the fact that their defendant did not get familiarized with the copy of the indictment. They requested to release Bakhmina from detention having changed her measure of restraint to any other not associated with deprivation of freedom. “We have submitted a personal guarantee of the current head of YUKOS, Victor Gerashchenko”, said lawyer Olga Kozyreva. The defendant, in her turn, reassured the court that she did not intend to abscond and would like to be with her small children – the sons of eight and four years – during the time of the trial, which would last for 3-4 months. Bakhmina’s husband, Mikhail, requested to admit to the trial as one more defence lawyer to reinforce the four professional lawyers. But he has no special illusions. “I have legal education. But I, most likely, will be denied”, he confessed. A representative of “Tomskneft”, Alexander Yevstigneyev, supported all motions of the defence. “He stated that having familiarized himself with the case materials he came to a conclusion that Bakhmina’s guilt was not proved”, Kozyreva told.

... While they waited for the court decision it turned out that in addition to “Tomskneft” there appeared in the case two more aggrieved parties. At that both of them were minded in a very aggressive manner – both brought civil action against Bakhmina. The first was some Shamshura who owned some time ago 35 shares of “Tomskneft”...

As for the other plaintiff, a civil action in the amount in excess of 1 billion roubles was brought by an Irish company “Sandhase Limited”. The suit on its behalf was signed by head of the company “East Petroleum” not unknown Yevgeny Rybin. We will remind that the Procuracy General charges with an attempt at his murder Aleksey Pichugin who is already sentenced to 20 years by the Moscow City Court for commitment of various crimes ...

*Author: Maria Lokotetskaya,
Source: GAZETA*

A search in the office of the YUKOS branch in Amsterdam

P: On orders of the Dutch Office of Public Prosecutor a search was carried out in the office of the YUKOS Company branch “Finance BV” in Amsterdam. The joint-stock company YUKOS “Finance BV” manages all foreign assets of YUKOS. The total value of foreign property of the company is estimated at one billion dollars. One more charge may be brought against ex-head of YUKOS M. Khodorkovsky, this time of money laundering. The Procuracy General confirmed the fact of conducting searches in a number of banks having explained it with

the fact that the investigation had information of illegal delivery abroad of about USD7 billion by YUKOS officers. A trial is going on in the Amsterdam Court where the creditor banks of YUKOS challenge the lawfulness of transfer of shares from YUKOS “Finance BV” to “YUKOS International BV”, a company established by “Finance BV” in April. Representatives of YUKOS say that it was done to prevent alienation of the shares by the Russian authorities on account of clearing off of the Company’s debt.

*Source: Euronews.
Novosti v Mire (News in the World)*

The searches in the companies linked to YUKOS collapsed the stock market

P: The searches in the companies linked to YUKOS collapsed the stock market. The information of new claims of the Procuracy General came one hour before closing of the trade. But even this time was enough for the stocks of the oil company to lose 11%. The RTS and MMVB indices dropped to record low this year. The Procuracy General does not say anything yet about the outcomes of the search. As for the causes, they are stated literally in two sentences. Quotation: “According to the data of the investigation, during the period of 2000 to 2003 some executives and officers of YUKOS stole and legalized by way of transferring them abroad monetary funds in the amount of USD7 billion. For this purpose lawyers, staff members of various commercial entities and banks were involved”, end of the quotation.

Some of them, simultaneously in Russia and in the Netherlands, came with inspections. The lawyers of ex-head of YUKOS Mikhail Khodorkovsky have already made their statements and called everything happening as pure politics. In their words, the prosecutors, irrespective of the verdict, do not want Khodorkovsky to leave prison. It is not excluded that the Procuracy General hurries with new charges. ... The period during which Khodorkovsky and Lebedev sentenced to 8 years should be transported to a colony is expiring.

Source: NTV # Today

The right to defence

Mikhail Khodorkovsky will appeal the verdict

Mikhail Khodorkovsky intends to appeal the verdict affirmed by the Moscow City Court – 8 years of deprivation of liberty, - told lawyer Anton Drel. “Khodorkovsky decided firmly to lodge a supervisory appeal to the presidium of the Moscow City Court”.

It became possible after the ex-head of YUKOS and his defence lawyers last Tuesday obtained a copy of the ruling of the Moscow City Court, which on 22 September finished consideration of the cassational appeal of Khodorkovsky and head of MFO “MENATEP” Platon Lebedev.

As for Platon Lebedev, he also got the text of the decision of the Moscow City Court and will, most likely, also submit a supervisory appeal. This was told to “Gazeta” by his defence lawyer Yevgeny Baru. “Lebedev always said that he would take all possible measures to repeal the verdict. He made an exception only for the Moscow City Court, to which he did not write an appeal because he was sure of its partiality”, noted the lawyer. “In what form Platon Lebedev is going to appeal the judgment of the Moscow City Court, where exactly we will apply to – these are working questions, they are being decided now”.

We will remind that Platon Lebedev did not only refuse to file an appeal against the judgment of the Meshchansky District Court of the city of Moscow with the Moscow City Court but he forbade his lawyers to take part in the court hearing.

“I do not see any sense in the creation of further illusion of legitimacy of the developments and in continuation, taking into account my health condition, of my participation in the

performance of cynical mockery of justice”, that is how head of “MENATEP” explained his position in the statement sent to the Moscow City Court...

*Author: Alexander Strogin,
Source: GAZETA*

Victor Shenderovich: the last elections of a man

Victor Shenderovich repeats the feat of Paster. He is running for the State Duma to inoculate himself for THIS

Why did the satirist wish to become a deputy instead of Khodorkovsky

Victor Shenderovich is a candidate to membership in the State Duma. He will represent the United Civil Front in the by-elections in the University Electoral District No. 201 of the city of Moscow. In his interview to the “Novaya” he explained why.

<...>

- *But an artist in power is for sure not for the benefit of the artist and hardly so for the power.*

- Both Tiutchev and Goethe were, as is known, serious government officials, and Saltikov-Shchedrin a vice-governor. It did not affect the quality of their texts to the worse, though.

- *And your colleagues-journalists in power. Khinshtein, for example...*

- If you name Khinshtein one more time as my colleague, I shall stop the interview.

Seriously speaking, the idea came last Friday at the meeting of the “Committee-2008”. After Khodorkovsky was prevented from participation in the elections I discovered with astonishment that this place remained unoccupied by anyone. And this is not the question of who would sit from this constituency (in this sense I am not against even Govorukhin, he will spoil nothing – it is impossible) but in the fact that it is the last election in the history of modern Russia, which is to be held in a single-mandate constituency. And if no one dies in the State Duma (let God give them all good health) then there will be no more elections of a man (and not parties – N.R.) to the Duma – they have been cancelled.

The problem is also in the fact that no one represents either me or my friends or parents in power. And there are 10-15% of such people in Russia who are orientated at human rights. That is why such elections for me are a method to remind clearly to the authorities that we exist, that there are hundreds of thousands of us. It is a question of estimating government. It will be of use in future so that we went to the next Duma without a stamp of failures and marginals. Because it somehow turns out with us that world chess champion Kasparov or publicist Novodvorskaya or other brilliant people, for example, from the “Committee-2008” are marginals while the grey dogs or majors who broke out of their dusty offices are the elite. It is high time to remind the power who the elite here and who the marginals are.

<...>

- *Does your nomination mean that no one else was found?*

- There was Khodorkovsky but he was not allowed. Although, for this the judges had to beat the Guinness record in reading speed – to read 500 volumes of the case file during one day. I am not a politician, I do not know how it all happened but some vacuum was formed.

- *But still there are inactive, marginal politicians.*

- They are not inactive, but you should ask them about their motives yourself. Although, if Kasparov, Khakamada were nominated it would be a nomination of the same calibre as Govorukhin but with a different sign.

- *So Shenderovich was demanded.*

- It is because I am an ideal instrument to show this farce.

*Author: Natalia Rostova,
Source: NOVAYA GAZETA*

M. Khodorkovsky's defence lawyer is debarred

P: Today Mikhail Khodorkovsky's defence lawyer Olga Artiukhova was deprived of her lawyer status. The Federal Registration Service informed that still on 3 October Artiukhova filed a respective application with the Board of Moscow Chamber of Lawyers. The Presnensky Court of the city considered for more than a year the action of the Ministry of Justice concerning Artiukhova's deprivation of her legal professional rights in connection with, I quote, unlawfulness of the methods of defence in the case of Khodorkovsky. It concerns the note seized from the lawyer in the Isolator "Matrosskaya Tishina" after her meeting with the defendant in November 2003. The Moscow Chamber of Lawyers refused until now to debar Artiukhova because it did not find in her actions any violations. But recently president of the Moscow Chamber of Lawyers Henry Reznik informed in his interview to the "Moscow Echo" Radio Station that Artiukhova's decision to discontinue her lawyer's career was caused by her family circumstances and not by her feeling of guilt.

*Source: REN TV #
24 – Information Programme*

The Qualification Commission

Of the Moscow Chamber of Lawyers will consider the matter of debarring three defence lawyers of ex-head of YUKOS Mikhail Khodorkovsky on 21 October. As head of the Moscow Chamber of Lawyers Henry Reznik informed Interfax, a regular meeting of the Collegium will take place on that day where, in particular, the representation of the Main Department of the Federal Registration Service of the Russian Federation for Moscow will be considered. The Main Department of the Federal Registration Service of the Russian Federation sent to the Chamber earlier a representation concerning debarring Khodorkovsky's defence lawyers Yelena Levina, Denis Diatlev and Anton Drel.

Source: NEZAVISIMAYA GAZETA

President of Russia Vladimir Putin is 53

Vladimir Putin is congratulated on his birthday by Mikhail Khodorkovsky: - Dear Vladimir Vladimirovich! Unfortunately, for the reason you know I have no possibility now to congratulate you personally, so I used the assistance of the "Kommersant" newspaper. There are people who can speak professionally of your merits. In this sense I am an amateur, self-taught person. And so I will tell you what I think in actual fact.

You are a very courageous man because you agreed, while being a lieutenant-colonel, to take more than marshal's position.

You are a very lucky leader who managed to save and preserve the main fortune of present-day Russia – high prices for oil.

You are a wonderful friend and partner: you did not spare even your reputation for the sake of your comrades who destroyed YUKOS, which still recently was the biggest oil company of the country.

You are a lavish man and clearly fond of football.

Today you have almost everything. And I want to wish you the little that you have not: freedom and peace. You will acquire them when in accordance with the Constitution of Russia you abandon this ungrateful presidential position.

Lord willing, we shall see each other soon. Happy birthday to you!

Author: Oksana Alekseyeva,

Closing of “Russia”

The activities of the charity organisation “Open Russia” may be wrapped up. The Procuracy General investigators are looking in its offices for traces of financial operations of ex-owners of “YUKOS”. The authorities are concerned that the organisation may become a launching pad for Khodorkovsky-politician, explain the observers.

A wave of searches in the structures affiliated with NK “YUKOS” is transferred to the inter-regional nongovernmental organisation “Open Russia”, which deals in charity and educational programs.

The Procuracy General officers conducted searches and seizures of documents for a whole day in the OR two buildings in Kolpachny Pereulok.

“At 9 A.M the investigators came in a “Volga” car and two minivans. At about 1 P.M. there arrived a “GAZel” minivan with OMON (special militia force) officers.

We were asked to leave the premises, searches were conducted in the press service, legal division, accounting office and in all directorates”, told the “*Vedomosti*” a staff member of OR on condition of anonymity.

Director of OR programs and the Board member Irina Yasina says that the searches were preceded by talks of the three directors of regional branches of the organisation with the Procuracy General investigators. The officers were asked to present the agreements with donor organisations for 2002. OR was subjected to only tax inspections, which, according to Yasina, “were conducted 20 times”.

The Procuracy General refused to reason the conduct of investigative actions in OR. A source close to the Procuracy General is sure that the investigators are interested in “relations of this organisation with the controlling shareholder of Group Menatep Leonid Nevzlin”. The OR press service explained that Nevzlin was a member of the Board until January 2004. “Until February 2004 ...

*Yelena Rudneva, Aleksey Nikolsky,
Vedomosti*

The European human rights advocates stood up for Platon Lebedev

... At the same time with a new upheaval of activity of the Russian law-enforcement agencies in the YUKOS affair, the Committee on Legal Issues and Human Rights of the Parliamentary Assembly of the Council of Europe (PACE) approved a statement concerning the fate of Platon Lebedev. In particular, it reads: “The PACE Committee on Legal Issues and Human Rights is concerned with the information of improper treatment of Platon Lebedev who is held in prison. The Committee calls on the Russian authorities to urgently provide him with an access to medical care, which he needs acutely, as well as to provide Lebedev with a possibility to use his right to undergo an examination with a doctor whom he trusts and to obtain the medicines, which he needs”.

*Author: Ivan Sas,
Source: NEZAVISIMAYA GAZETA*

Honduraso-Bysantium

Yevgeny Ikhlov, commentary of a human rights activist

Now again a discussion started about the role of the Public Chamber: to participate – not to participate, necessary – not necessary... But the establishment of the Public Chamber revealed a very interesting phenomenon – there are in Russia TWO power verticals. One being routine, standard, at the top - “señor El-Presidento”. All this leans against the constitutional majority in the slavishly obedient parliament. The parliaments in the centre and the provinces are held in their hands by the party of the power (the traditional party of bosses), which leans against the support of not less boss-loving electoral majority. This is a normal kind of quasi-democratic hierarchy. However, this hierarchy is publicly despised and humiliated – even by pro-presidential figures and propagandists.

The party of the power is amorphous and unprincipled. The government forgets about the people. The parliament is a sedimentation tank. And alongside this there exists a different – sacral-charismatic vertical of power. The President is a guarantor and favour distributor (to someone – a pump-house, and to someone else– hospitals for children). Under him there is his personal administration and advisors-like-minded persons who, without dirtying their hands with severe specifics of harvests and the social sector, prepare in the quietness of their offices decisions for the favourite ideas of the President (doubling the GNP etc.). Under him there is the Public Chamber, which is a reference group for 99% of TV-dependent population: favourite sportsmen, actors, heads of main religious faiths and other public. For example, future “correct human rights advocates” (from those who defend not the criminals but their victims). This vertical is absolutely unconstitutional but still favoured, deprived of criticism and serves as a kind of mediator between the upper worlds of higher truth dawned on the Kremlin and the lowly world where there is cops’ tyranny, war in Chechnya, corruption and monetisation.

IA «For Human Rights»

Russia Beaten to the Public Chamber

Representatives of the convened at the end of July 2005 *Movement “Russia Beaten”* – Veronika Shakhova, coordinator of the Movement “Russia Beaten” (Blagoveshchensk); Tatiana Rudakova, Interregional Organisation “Mothers for Protection of Rights of the Detainees, Those under Investigation and Convicted” (Krasnodar); Natalia Menzhieva, secretary of the Executive Committee of the Extraordinary Congress of the Peoples of Kalmykia (Elista); Vladimir Shaklein, the Urals Interregional Human Rights Centre (Yekaterinburg) and Lidia Rybina, Tambov Human Rights Centre, published their address to the members of the created Public Chamber. Collection of signatures is continued.

*From the open address to members of the Public Chamber of the Russian Federation
Of participants of the Movement of Struggle against Torture, Mopping-up Operations and
Filtrations of “Russia Beaten” and Human Rights Watch “Against Arbitrariness of Law-
Enforcement and Armed Agencies, Torture and Beatings, Issuance of Anti-Constitutional
Orders”*

There started formation of the Public Chamber of the Russian Federation. The Public Chamber is called upon to represent a wide spectrum of social and intellectual trends. We are convinced that in the first place the members of the Chamber must address such most important theme as the torturous practice of investigation, mass beatings, humiliation and cynical abasement made by the law-enforcement agencies.

Starting with the assault and battery of participants of the rally in Elista during the events of 20-22 September 2004, a wave of “mopping-up operations” rolled over all our country, which were officially called “preventive measures”. Militiamen and OMON troopers grasped people right in the streets, in cafeteria, at discos ... and beat them, maimed, humiliated. The victims were men and women, aged people and teenagers. The tragedy of the beaten Bashkirian city of

Blagoveshchensk, which started on the International Human Rights Day of 10 December 2004 struck the entire country.

Then, although on a lesser scale, similar “actions” continued through 2005. In March, at once: Krasnoyarsk, in Tver Oblast – the city of Bezhetsk and Rozhdestvenno Village. In Nefteyugansk at the end of March, the militia beat and maimed a whole group of entrepreneurs. In June the turn came for a Stavropol village, Ivanovskoye, and the Chechen Stanitsa Borozdinovskaya... In July – the battery in Raskazovo of Tambov Oblast. At the end of June-beginning of July there were the bloody days and nights of the Lgov colony. As a result of the Lgov drama our country and the entire world learned about the practice of systematic beating and tortures in places of confinement. One of the most important causes of tyranny in the “closed” establishments is the delay in approval of the Federal Law “On Public Control of Observation of Human Rights in Places of Forced Detention and on Facilitation of Activities of Nongovernmental Associations”. It is already for two years that the bill approved in its first reading has been collecting dust in the State Duma.

Many thousands of convicts are held in prisons and colonies without any guilt of theirs. Having failed to sustain the tortures and abasement, the people, especially young, sign confessions of crimes, which they did not commit. All attempts to deny these false confessions are not admitted by the court and “the torturous records” are laid into the foundation of a tremendous number of sentences.

And this happens almost a quarter of a millennium after abandoning in Russia of torturous investigation in 1762!

Torture and mopping-up became routine in the regions of Northern Caucasus. As a result, there grows alienation of the people from the authorities, which look as inhuman and incapable of ensuring justice and law.

As it soon became clear, the “preventive” unlawful mass detentions, beating and humiliation had the nature of “collective punishment”: designed to intimidate, to revenge real and imagined offences, to frighten... But collective punishments of peaceful population are prohibited even with respect of the population of a hostile state in the period of war – the 4th Geneva Convention of 1949.

The most striking thing was discovered during the investigation with respect of the militia officers by the events in Blagoveshchensk. It appeared that there exist unpublished, which in itself is already a blatant violation of the Russian Constitution (Article 15 paragraph 3), orders of the MVD RF that stipulate establishment of “filtration stations” and various other variants of violations and limitations of the rights and freedoms of citizens under the so-called “emergency circumstances” up to the use of firearms “to destroy the bandits”. The case in point is the orders of the MVD of Russia No. 174 and the major one – No. 870 (of 10 September 2002) and the Appendix No. 1 to it with the title “Manual for Planning and Preparation of Manpower and Materiel of Internal Affairs Organs and Internal Troops of the MVD of Russia to Actions in Emergency Circumstances”. Both orders bear the stamp of “DSP” (for service use) although such a form of classification of documents is not envisaged by Russian laws.

We draw your attention to the fact that Russian laws do not prescribe establishment of any “filtration stations”!

... We are calling on you – stop the wave of mopping-up of Russian cities and villages, sadistic practice of filtrations, raise publicly the question of torturous investigation, which was unseen from the time of Stalin’s repressions.

The Public Chamber of the Russian Federation must carry out the mandate of the society rightless, beaten and tortured.

Governmental violence and tyranny against the citizens should be the focus of attention of the society. If after Stalin’s repressions that had been sharply denounced twice by our state there were established special commissions for re-consideration of cases, then the more so now, when there goes a routine flow of falsification of criminal cases with the aid of torturous investigation, *it is necessary to establish plenipotentiary commissions for review of the cases based on false*

confessions.

We believe it to be of core importance that on behalf of the Public Chamber the question was publicly raised *on abrogation, as contradicting to the constitutional law and international legal obligations of our country, of all unpublished departmental acts, which sanction the establishment of unlawful centres of detention and inquisition (the so-called “filtration stations”), internment of citizens and use of force including that to kill, other violations and limitations of rights and freedoms of citizens.*

There should be also raised the inseparably linked to that the question *of prohibition of use of any unauthorised by law stamps of non-disclosure, like “for service use” (DSP).*

In the field there often is observed full mutual understanding between the administrative, law-enforcement and supervisory agencies, which blocks investigation of even the most blatant and mass violations of human rights. Pressure is exerted on the victims (as well as weakly veiled subornation, and direct intimidation). They are forced to withdraw their applications filed with the militia, the procuracy and even with the European Court of Human Rights, applications. The atmosphere of rightlessness and collective cover-up is created. The people lose their belief in justice, in the possibility to defend their rights.

We are calling on the Public Chamber to demand that *investigation into the facts of “filtration” and other cases of “collective punishments” was conducted by forces of the teams of the Procuracy General.*

... We are calling on you to raise the matter of personal responsibility for the imposed “collective punishments” of Minister of Internal Affairs Rashid Nurgaliev, head of the Federal Service of Execution of Punishments Yuri Kalinin and head of the Federal Service of Drug Traffic Control Victor Cherkesov.

Veronika Shakhova, coordinator of the Movement “Russia Beaten” (Blagoveshchensk);

Tatiana Rudakova, Interregional Organisation “Mothers for Protection of Rights of the Detainees, Those under Investigation and Convicted” (Krasnodar);

Natalia Menzhieva, secretary of the Executive Committee of the Extraordinary Congress of the peoples of Kalmykia (Elista);

Vladimir Shaklein, the Urals Interregional Human Rights Centre (Yekaterinburg);

Lidia Rybina, Tambov Human Rights Centre

Marsel Isaev who is awaiting deportation to Uzbekistan for his refusal to give false testimony asked for asylum in Russia

The Committee “Civil Assistance” already reported about a citizen of Uzbekistan Marsel Isaev, 19-year-old student of one of Kazan universities, with respect of whom a decision was taken to expel him from Russia after his refusal to give deliberately false testimony in court.

On 23 September Marsel was placed in the concentration and distribution centre of the city of Kazan for foreigners planned to be deported. The Supreme Court of Tatarstan rejected cassational appeals of Isaev and his lawyer against the decision of deportation.

The Department for Migration Affairs of the Republic of Tatarstan received Isaev’s petition about granting to him a refugee status. As “CA” was told by Isaev’s lawyer Fizuli Balafendiev (a lawyer of the “Migration and Law” network of the HRC “Memorial”), his defendant reasoned his petition with the fact that in case of realization of the threat of the officers of Kazan UBOP (Department for Organised Crime Control) (see press release of 27.09.2005) he will face in Uzbekistan criminal persecution and torture: *“I do not know anything of “Hizb ut-Tahrir” and in general have little in common with any organisations of this kind. They threatened me in UBOP that should I refuse their proposal (giving false testimony –Ye.R.’s note) I shall be not simply deported but handed over to the secret services of Uzbekistan, that I am allegedly a member of the abovementioned terrorist organisation”,* stated Marsel Isaev.

Earlier Isaev already made an attempt to send his petition through the special unit of the concentration and distribution centre, however, the administration of the institution refused to accept this petition thereby trying to obstruct realization of his right of application for asylum.

According to Gennady Kukhtin, head of the division of illegal migration control of the FMS of Russia, the refusal of the administration was unlawful. *“After the transfer of the concentration and distribution centres to the FMS and re-profiling them for holding foreigners planned to be deported the staff of these institutions still remains in subordination to the MVD”*, Kukhtin stated to the “Civil Assistance”. *“That is why the complaints against their unlawful actions should be sent there”*.

Therefore, Isaev should complain against the MVD officers to the same agency where officer of Kazan UBOP Kirichenko serves who threatened the young man with his deportation for refusal to give a false testimony and, judging by the developments, insistently trying to implement his threat (see press release of 27.09.2005).

According to the words of Isaev’s father who lives in Orenburg Oblast, this week officers of the local UBOP questioned Marsel’s 16-year-old brother about his attitude to “Hizb ut-Tahrir”. It may not be excluded that a new “case of Islamic extremism and terrorism” is in the initial stage of proceedings, which will be soon successfully “exposed” by the law-enforcement agencies.

Marsel Isaev came to Russia a year ago with an intention to stay here for ever.

He writes in his application: *“I have no one in Uzbekistan, I came to my homeland. All my family lives here, my parents are citizens of Russia. Uzbekistan is foreign land for me irrespective of the formal element of my citizenship affiliation. I will legalise my citizenship of the Russian Federation in any case notwithstanding any bureaucratic obstacles. It is because I have no other homeland!”*

The Committee “Civil Assistance” intends to watch closely the fate of Marsel Isaev.

*Yelena Riabinina,
Head of the program “Assistance
To political refugees from Central Asia”
Of the Committee “Civil Assistance”*

The leadership of MVD of Russia must resign

From the Statement of participants of the Initiative Group “Common Action”

Human rights activists and journalists constantly pay attention to the fact that numerous cases of mass indiscriminatory violence and unlawful internment on the part of law-enforcement agencies (into the so-called “filtration stations”), torture, beating, cynical abasement of human dignity, other blatant violations of human rights and freedoms are not scandalous excesses, but a manifestation of the general tactics of “collective” punishments, which is widely practiced by MVD.

As it turned out, such “collective punishments” are executed on the basis of unlawfully classified normative acts, the contents of which clearly contradicts the Constitution of the Russian Federation. To these acts, in the first place, belongs the notorious Order of MVD of Russia No. 870 DSP issued on 10 September 2002.

Starting with the mass beating of the participants of the rally in Elista on 20-21 September 2004 by the militia and OMON, similar reprisals swept in a wave over other regions, too. The greatest resonance caused the operation of MVD forces in the city of Blagoveshchensk (Republic of Bashkortostan) in December 2004. It was called “preventive” but reminded most of all the notorious Chechnya “mopping-up operations”. The leadership of Bashkirian MVD bears direct responsibility for that event.

As a result of the developments in Blagoveshchensk, hundreds of people suffered and in the course of investigation the anti-constitutional Appendix No.1 to Order No. 870-DSP

“Manual for Planning and Preparation of Manpower and Materiel of Internal Affairs Organs and Internal Troops of the MVD of Russia to Actions in Emergency Circumstances” became public knowledge.

Unfortunately, there followed no conclusions, which would be made out of this in a democratic rule of law state on the part of the federal MVD leadership: Order No. 870-DSP was not abrogated, no adequate service investigation of the event took place; the command staff of Bashkirian MVD, which was directly responsible for dispatching OMON to Blagoveshchensk was not brought to disciplinary responsibility, the Minister of Internal Affairs of Bashkiria, Divaev, was not made to resign but passed re-attestation at the MVD Board of the Russian Federation.

Mass violence and abasement of human dignity became a norm not only in the “operational prevention” operations but also during dispersal of peaceful non-violent demonstrations and pickets including authorised ones.

All this indicates unequivocally that the leadership of MVD of Russia is not going to ensure observation of law but, moreover, covers up the authors of mass and blatant violations of rights and freedoms of citizens, implements anti-constitutional normative acts.

That is why we demand:

- immediate dismissal of Minister of Internal Affairs of Bashkiria Rafail Divaev and conduct of service investigation of his actions;

- immediate resignation of Minister of Internal Affairs of Russia Rashid Nurgaliev and other leaders of the agency who are responsible for continued violations of human rights by the militia officers, practice of torture, mass beating and establishment of filtration stations;

- abrogation of all unpublished normative acts infringing on the rights and freedoms of citizens.

Liudmila Alexeyeva, chairperson Moscow Helsinki Group;

Andrei Babushkin, Charity Committee “For Civil Rights”;

Yuri Brovchenko, Vladimir Oivin, Public Foundation “Glasnost”;

Pavel Bashkirov, human rights activist;

Svetlana Gannushkina, Civil Assistance Committee;

Lidia Grafova, Migration Organisations Forum;

Anna Karetnikova, Anti-War Club;

Sergei Kovalev, Andrei Sakharov Fund;

Liudmila Vakhnina, human rights activist;

Lev Levinson, Human Rights Institute;

Lev Ponomarev, Yuliy Rybakov, All-Russian Movement «For Human rights»;

Yuri Samodurov, Museum and Public Centre named after A.D. Sakharov;

Sergei Sorokin, “Movement against Violence”;

Ernst Cherny, secretary Nongovernmental Committee for Protection of Scientists;

priest Gleb Yakunin, Nongovernmental Committee for Protection of Freedom of

Conscience

4 October 2005

Appeal of participants of the Initiative Group “Common Action” to the European Court of Human Rights

(Application N 11886105 Dolgova v. Russia)

We, representatives of Russian human rights organisations, members of the Initiative Group “Common Action” established in 1997 express our special concern with the progress of the trial conducted now in the Tverskoy District Court of the city of Moscow with respect of 39 young people who, for their holding of a peaceful action of protest in the premises of the Public Reception Office of the Presidential Administration on 14 December 2004, are charged with

commitment of mass riots. We draw attention to the fact that initially with respect of the participants of the action arrested on site a still graver charge was brought of an attempt to seize state power and that precisely this fantastic charge gave the court a reason to take repeated decisions to chose the measure of restraint connected with deprivation of liberty with respect of all detainees including those who are not 18 yet.

Russian human rights and civic organisations stated a number of times the purely political nature of persecution of the defendants and applied to the “Amnesty International” Organisation with a request to recognise the status of political prisoners for them. We relate the incommensurate cruel persecution of the participants of the action of 14 December 2004, first of all, to the fact that the participants of the action put up a poster calling on President of Russia to resign voluntarily (“Putin, go away on your own!”) as well as they distributed proclamations of similar content.

We are convinced that the participants of the action acted fully within the limits of realization of their right to freedom of self-expression and freedom of peaceful meetings guaranteed by the Russian Constitution and protected by the European Convention on Protection of Human Rights and Fundamental Freedoms and International Covenant on Civil and Political Rights.

We believe that their action was mostly of forced nature because the established order of addresses of citizens to the Public Reception Office of the Presidential Administration of Russia is profanation in its nature because it actually obstructs realization of the publicly declared goal – to ensure direct address to top officials.

We express a hope that in consideration of the appeal the Court will observe human rights, take into account the adherence to democratic institutes.

In our opinion, based on the sufficiently detailed information we have, the public action held on 14 December 2004 is not a criminally punishable deed and the gravity of the charge brought and many months of holding of the defendants including those with chronic diseases in prison is a consequence of an attempt of the authorities to carry out a demonstrative act of intimidation of the opposition as well as it has the nature of revenge for coming out against the President of Russia.

We note that participation in this action was open: anybody could take part in it if he disagreed with the policy pursued by the President of Russia. We are convinced that the criminal persecution with respect of these detainees should be discontinued. During the preceding years, the Russian establishment and even the Russian parliament publicly expressed their solidarity with similar actions of peaceful protest conducted by members of the National Bolshevik Party and its supporters because they were held in support of the rights of ethnic minorities in Latvia and the Ukraine.

Blowing of a loud criminal process out of a rather common non-violent demonstration causes concern among the human rights organisations both in Russia and abroad.

Unwillingness of the court to change the measure of restraint for these young people who pose no threat to the society shows that the arrest is used as a measure of repression for the people with different from official point of view on the developments in Russia.

We share and support the position stated in the applications filed by V.A. Dolgova, A.S. Zentsov, , A.V. Kolunov, V.Ya. Lind and other defendants concerning unlawfulness of their detention. We are also convinced that should there be no political motives of opposition nature, especially, of criticism of the policy of head of state, naturally, with respect of these and other defendants there would be chosen a different measure of restraint not related to deprivation of freedom.

We request the European Court of Human Rights to satisfy the appeals of V.A. Dolgova and other defendants and to find as unlawful the fact of their incarceration as well as the fact of their politically motivated persecution.

Yelena Bonnair, human rights advocate;

*Andrei Babushkin, Charity Committee "For Civil Rights";
Yuri Brovchenko,, Vladimir Oivin, Public Foundation "Glasnost";
Pavel Bashkirov, human rights activist;
Lidia Grafova, Migration Organisations Forum;
Anna Karetnikova, Anti-War Club;
Liudmila Vakhnina, human rights activist;
Lev Levinson, Human Rights Institute;
Lev Ponomarev, All-Russian Movement «For Human rights»;
Yuri Samodurov, Museum and Public Centre named after A.D. Sakharov;
Sergei Sorokin, "Movement against Violence";
Ernst Cherny, secretary Nongovernmental Committee for Protection of Scientists,
Coalition "Ecology and Human Rights";
priest Gleb Yakunin, Nongovernmental Committee for Protection of Freedom of
Conscience*

30 September 2005

The amendment to Law "On Military Obligation and Military Service" has entered into force

On 1 October, a regular draft to the army started already by the new rules. The amendment to Law "On Military Obligation and Military Service" is entering into force from 1 October

The draft commissions of the Federation members get the right to independent drafting to military service. They may determine in what arms and services the conscripts will serve, send them to the alternative civil service, and grant deferments, free from conscription and record in the reserve. Previously, such powers were vested only in the Rayon Drafting Commissions.

The autumn draft plan is record low – 149,960 men, which are 30,000 less than in the spring drafting campaign. It is connected with the government plans of reduction of the army on the whole. But the need of reducing the army does not mean at all that the military will give up the idea of abandoning deferments. At the end of September Minister of Defence Sergei Ivanov warned that in the nearest future "vocational" deferments for students of PTU (vocational schools) and technical secondary schools might be cancelled...

From January to December 2005, with support of the European Commission in Russia the project "Inter-regional monitoring as a means of protection of human rights and professionalisation of regional NGO" has been implemented. This project is implemented in 20 regions of Russia by human rights organisations-members of the All-Russian Coalition "For Democratic Alternative Civil Service". The monitoring in Voronezh Oblast is carried out by the regional branch of the Movement "For Human Rights" together with ANO Inter-regional Human Rights Group.

The outcome of the project will be a report "On violation of rights and freedoms of man and citizen in Voronezh Oblast during drafting to military service in 2005". The report on Voronezh Oblast will become a component part of the composite Inter-Regional Report, which will be presented to the federal and regional governments, wide public and international organisations.

*Andrei Rashevsky,
Project Coordinator in Voronezh Oblast,
Chief Counsel of the Public Reception Office of
Voronezh Oblast of
The Commissioner for Human Rights of the Russian Federation*

Extortion in educational establishments of Orel Region

The first results of work of public reception offices in Orel showed a high level of dissatisfaction of citizens with extortions in the educational establishments of Orel Region.

Referring to absence of government budget financing and appealing to the need of provision for security of schoolchildren in school building, their administration announces collection of money “for guards”. The parents are given the condition of *obligatory* paying in from 15 to 25 roubles a month for “guarding” their child, at that the money is accumulated by class masters who do not give the pupils any documents on that. Further, as the teachers explain, the money is passed “upwards”, to the school administration. As it follows from the arguments of heads of the educational establishments, the money is spend for monthly fees for the “alarm button” – a system of automatic communications with the Division of Extradepartmental Guard (OVO) of the Administration of Internal Affairs (UVD) as well as to pay the militiamen who are on duty at the school entrances. The check of the grounds for claims on one of the most frequently mentioned in the complaints school establishments revealed an “interesting arithmetic”: to service the “alarm button” under the contract with OVO UVD made with the school as a “privileged” social-educational establishment it takes a monthly pay not exceeding 3,000 roubles. The pay of two guards is not exceeding 5,000 roubles a month. So, the total amount of expenses for the “guard” cannot be more that 13,000 a month. But there are about 3,000 students in this school and at that there are no discounts made for either the parents with two schoolchildren or low-income families. Consequently, the total amount of money collected in that school per month was 3000×25 roubles = 75,000 roubles. Naturally the question arises: *where is the 62,000 roubles monthly amount collected “in excess of the plan” spent?*

... Coordinator of the National Anti-Corruption Committee for Orel Oblast, chairperson of the Board of Nongovernmental Organisation “Civil Control” Marina Ivashina addressed the OVO UVD with a request to inform the public on real cost of the guard of educational establishments and to explain their legal relationships with schools as juridical persons ...

*Press service
Of NGO
«Civil Control»*

Friends, if you do not wish to receive the news bulletins, please advise us.