



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FIRST SECTION

Application no. 26562/07
Emma Lazarovna TAGAYEVA and Others
against Russia
and 6 other applications
(see list appended)

STATEMENT OF FACTS

THE FACTS

A. Circumstances of the case

1. Applicants

1. The complaints are brought by 447 Russian nationals in seven applications. They raise various issues related to the terrorist attack, siege and storming of school no. 1 in Beslan, North Ossetia, Russia, on 1-3 September 2004. Some applicants were held hostage and/or injured; others had family members among those taken hostage, killed or injured. Several applicants lodged complaints also in respect of their family members. Individual information in respect of each applicant is summarised in the attached table (Table 1).

2. While most events are relevant for all applicants, their situation in the domestic proceedings has somewhat differed. However, given the number of applicants, the extent of the domestic procedures and difficulties associated with the establishment of each applicant's procedural role, the present report refers to them collectively as the "applicants". This is based on the assumption that their position in the domestic proceedings has been relatively similar, whether or not each of them participated in the given procedural step, either directly or through their representatives (see *Abuyeva and Others v. Russia*, no. 27065/05, § 181, 2 December 2010).

2. *Representatives and application forms*

3. The applicants in the seven cases grouped in the present report have submitted powers of attorneys to six different representatives: Mrs E. Kesayeva and Mrs E. Bzarova, residents of Beslan; Mrs K. Moskalenko, Mrs O. Mikhaylova and Mr M. Trepashkin, lawyers practising in Moscow; and Mr S. Kay, a lawyer practising in London. Details about the distribution of applicants between representatives are summarised in Table 2 (where there are multiple representatives, they are listed in the chronological order in which most powers of attorney were issued).

4. The applicants in four cases listed below submitted two application forms.

5. The applicants in case no. 26562/07 *Tagayeva and Others*: the first application form was submitted on 21 January 2008 (date of postmark), although the applicants' signatures were submitted separately and are dated between December 2007 and June 2008 (complaint lodged on 25 June 2007).

6. The applicants in case no. 49380/08 *Savkuyev and Others* submitted their first application form on 10 February 2009 (complaint lodged on 4 September 2008).

7. The applicants in case no. 21294/11 *Kokova and Others* submitted the first application form and lodged their complaint on 12 March 2011.

8. The applicants in case no. 37096/11 *Nogayeva and Others* submitted their first application form and lodged their complaint on 28 May 2011.

9. The second application form common to applications nos. 26562/07 *Tagayeva and Others*, 49380/08 *Savkuyev and Others*, 21294/11 *Kokova and Others* and 37096/11 *Nogayeva and Others* was submitted on 18 October 2011 by Mr S. Kay.

10. The applicants in case no. 14755/08 *Dudiyeva and Others* submitted their application form on 28 August 2008 (complaint lodged on 14 February 2008).

11. The applicants in case no. 49339/08 *Albegova and Others* submitted their application form on 30 March 2009 (complaint lodged on 4 September 2008).

12. The applicants in case no. 51313/08 *Aliyeva and Others* submitted their application form on 2 April 2009 (complaint lodged on 22 September 2008).

3. *Supporting documents*

13. It should be noted that to date the exact circumstances of some key elements of the events remain disputed. The voluminous materials of the case files lodged by the applicants include documents from four criminal investigation proceedings, three criminal trials, two sets of civil proceedings for compensation, two reports by the parliamentary groups and one dissenting opinion, books and articles written in the aftermath, copies of forensic and expert reports in respect of each applicant and/or their relatives, and the applicants' own statements to the Court. The statement of facts below is a succinct summary of the documents mentioned above as well as other publicly available information.

4. Situation prior to the hostage-taking on 1 September 2004

(a) Terrorist attacks in 2004

14. The year 2004 saw a surge of terrorist acts in Russia entailing numerous civilian victims. Mr Shamil Basayev, the underground leader of the Chechen separatist movement, either claimed or was attributed responsibility for these acts.

15. On 6 February 2004 a suicide bomber killed over forty persons and wounded over 250 in a crowded underground train in Moscow.

16. In February and March 2004 several explosions in the Moscow Region damaged gas pipelines, a water heating station and electricity pylons.

17. On 9 May the President of Chechnya, Mr Akhmat Kadyrov, and several senior officials were killed by a bomb placed under their tribune in a stadium in Grozny.

18. On 21-22 June a large group of armed rebel fighters attacked Nazran, Ingushetia's largest town. They primarily targeted police stations and security offices; over ninety persons were killed and an ammunition warehouse was looted.

19. On 24 August two civilian planes which had departed from the Moscow Domodedovo airport simultaneously exploded in mid-air; ninety persons lost their lives.

20. On 31 August a suicide bomber exploded at the entrance to an underground station in Moscow, killing ten and wounding about fifty persons.

(b) Evaluation of the terrorist threat in North Ossetia

21. On 18 August 2004 the North Ossetian Ministry of the Interior issued the following telex to all local departments of the interior:

“[The North Ossetian Ministry of the Interior] has received information indicating movements of participants of [illegal armed groups] from the plains of [Ingushetia] and [Chechnya] to the mountainous and forested area along the border of [Ingushetia] and [North Ossetia]. The fighters' meeting is presumably planned for mid-August of the current year, following which they are intending to commit in [North Ossetia] a terrorist act similar to that in Budennovsk. According to the available data, the fighters envisage capturing a civilian object with hostages in the territory of [North Ossetia], and then submitting demands to the country's leadership for withdrawal of troops from [Chechnya]. A large sum of money in [foreign] currency has apparently been transferred from Turkey. [This information is] transmitted in order for preventive measures to be taken.”

22. On 27 August 2004 the North Ossetian Ministry of the Interior issued decree no. 500 “About the protection of public order and security during the Day of Knowledge in the educational facilities of North Ossetia”, which was sent to all district police stations. The plan provided for heightened security awareness and an increase in the number of mobile posts and police officers near public gatherings, as well as ordering a series of measures aimed at the prevention of terrorist acts and hostage-taking during public gatherings on the Day of Knowledge in the settlements situated along the administrative border with Ingushetia. The plan further stipulated that each head of the district departments of the Interior should

inform accordingly the administrations of educational facilities, put in place working plans for every such gathering and personally instruct the police staff about their functions, to carry out hourly updates of the situation at public gatherings, to ensure immediate feedback to the North Ossetian Ministry of the Interior and to provide for contingency staff in each police department.

23. On 25, 27 and 28 August 2004 the North Ossetian Ministry of the Interior issued three other telexes to the local departments, concerning security measures to be taken during the Day of Knowledge, heightened terrorist risks in the region and the prevention of possible attacks. The personnel of the Ministry of the Interior had been put on high alert (“*усиленный режим несения службы*”).

(c) Preparations for the hostage-taking in Beslan

24. As revealed by subsequent investigations, in the last days of August 2004 a sizeable group of terrorists (no less than thirty persons) camped and trained between the villages of Psedakh and Sagopshi in the Malgobek district of Ingushetia. Early in the morning on 1 September 2004 this group crossed the administrative border between Ingushetia and North Ossetia, driving a GAZ-66 utility truck.

25. On 1 September 2004 at 7.30 a.m. Major S.G. from the North Ossetian Ministry of the Interior stopped the vehicle for inspection at the administrative border in Khurikau. The terrorists unarmed him, placed him in the back seat of his own white VAZ-2107 and thus drove to Beslan. Major S.G. escaped there and later testified about these events.

5. Hostage-taking

26. At 9 a.m. on 1 September 2004 school no. 1 in Beslan, North Ossetia, held a traditional Day of Knowledge ceremony to mark the opening of the academic year. Over 1,200 persons gathered in the courtyard of the E-shaped two-storey building located in Komintern Street in the centre of the town, having a population of 35,000. The school was situated next door to the district police station of Pravoberezhny (the “Pravoberezhny ROVD”). The gathering included schoolchildren (859), teachers and staff of the school (about 60 persons) and members of their families. Dozens of children aged below six were present in the crowd with their parents, since several kindergartens in Beslan were closed on that day for various reasons. One unarmed police officer Ms Fatima D. was present at the ceremony.

27. According to some sources, in the morning of 1 September 2004 Beslan’s traffic police were called to secure the passage of Mr Dzasokhov, the North Ossetian President, through the town. The applicants referred to the testimony of the traffic policemen and servicemen of the Pravoberezhny ROVD to the effect that they had been instructed to take various positions along the route of Mr Dzasokhov’s convoy, and thus leave the school unprotected.

28. In the first minutes of the ceremony, at about 9.05 a.m., a group of at least thirty-two persons (the number of terrorists is disputed – see below), armed with various weapons, including machine guns, explosives and handguns, encircled the persons in the school courtyard and, shooting in the air, ordered them to enter the school through the main door and through the

smashed windows on the ground floor. A GAZ-66 vehicle entered the yard through the main gates and a group of terrorists jumped out of it; according to some witnesses other terrorists came from behind the school and yet another group was already in the building.

29. The terrorists in the main courtyard fired into the air and there was an exchange of fire with the local residents or police. At least two local residents were killed (Mr R. Gappoyev and Mr F. Frayev) and some were wounded during the skirmish. It also appears that two terrorists were wounded. About one hundred persons, mostly adults and senior students, managed to escape at this point. Another fifteen persons hid in the boiler building, from where they were rescued later in the day.

30. Despite the initial chaos, the terrorists managed to round up the majority of those present in the courtyard – 1,128 persons (the figure is disputed by some sources), including about 800 children aged between several months and eighteen years. Several groups of hostages initially tried to hide inside the school or to escape through the fire exits, but the terrorists were in firm control of the building and escorted everyone to the gymnasium.

31. The hostages were assembled in the gymnasium located on the ground floor in the central part of the building and measuring about 250 square metres. The terrorists informed them that it was a terrorist act and that they had to obey. The hostages' personal belongings, mobile phones and cameras were confiscated, and they were ordered to sit on the floor.

32. Then the attackers proceeded to arrange a system of improvised explosive devices (IEDs) around the gymnasium, using basketball hoops and gymnasium ladders for support. Male hostages were forced to assist them in this task, which was completed within about two hours. A single chain connected several smaller IEDs hanging above the hostages' heads, two large IEDs attached to basketball hoops on the opposite walls of the gymnasium and several heavier ones placed on the floor. Some IEDs were filled with parts such as metal pellets, screws and bolts. They were connected by wire to pedal detonators ("dead man's switch") constantly held by two terrorists in turns. Two women wearing ample black clothes with explosive belts underneath – suicide bombers – remained in the gymnasium among the hostages.

33. The attackers smashed the windows of the gymnasium, to allow air and probably to avoid the use of gas as a means of attack. Several rooms around the school building were turned into firing points, with windows smashed and stocks of food, water and ammunition arranged. During the day on 1 September 2004 the terrorists kept shooting out of school windows in the direction of military personnel and civilians gathered outside.

34. At 9.25 a.m. the Ministry of the Interior in Vladikavkaz received information about the seizure of the school; it was immediately transmitted to the North Ossetian President Mr A. Dzasokhov and the Federal Security Service (the "FSB").

*6. Events of 1-2 September 2004***(a) The hostages' situation**

35. The hostages were forced to sit in very cramped conditions on the floor of the gymnasium. During the first hours of captivity some families remained separated, but they were allowed to reunite later during the day of 1 September.

36. The hostages were ordered to keep quiet and not to speak in languages other than Russian. Mr Ruslan Betrozov, father of two sons present in the gymnasium, repeated the captors' orders in Ossetian. One of the terrorists walked up to him and executed him in full view of the persons present in the gymnasium by shooting him in the head; his body was removed only several hours later. Mr Betrozov's sons, Alan (born in 1988) and Aslan (born in 1990) witnessed the execution; both boys died on 3 September 2004 during the storming. Another father of three, Mr Vadim Bolloyev, was shot in the shoulder in the first hours of the crisis apparently because he refused to obey the terrorists' orders. He died in the gymnasium by the end of 1 September. His younger son Sarmat (born in 1998) survived the attack; his two daughters Zarina (born in 1993) and Madina (born in 1995) died during the storming.

37. During the day on 1 September 2004 the attackers allowed groups of children, under their escort and accompanied by adults, to access the toilets outside the sports hall, to drink tap water. They also ordered senior students to bring water into the hall in buckets and to distribute it among the hostages by small portions. Also on 1 September the terrorists brought into the gymnasium a large TV screen and on several occasions turned on the radio, so that some hostages could hear the news about the events.

38. On 1 September the terrorists allowed the elderly and sick hostages, as well as some mothers with nursing babies, to stay in the smaller adjacent weights room, where they could stretch on the floor. Later these persons were brought into the sports hall.

39. Starting from 2 September the terrorists refused to allow the hostages water and ordered them to use buckets to relieve themselves and to drink their own urine. They announced to the hostages that the tap water had been poisoned and that they had declared a "dry hunger strike" in support of their captors' demands. Some of the hostages chewed leaves of the interior plants in order to relieve their thirst. The survivors later complained of exasperating thirst and heat prevailing on the 2nd and especially on the 3rd of September 2004.

(b) Execution of male hostages

40. From the outset the terrorists separated most men and forced them to perform various tasks in order to fortify the building or to place IEDs. They were told that their disobedience would lead to execution of women and children in the hall.

41. Thus, in the morning of 1 September, two male hostages were ordered to lift floorboards in the library. Floorboards were also lifted in the corners of the gymnasium. Others were ordered to move furniture and blackboards to the windows of various classrooms and corridors.

42. In the afternoon of 1 September several men were lined up in the corridor of the ground floor. An explosion occurred there at 4.05 p.m., as a result of which several male hostages were killed or injured. One (or two) women suicide bombers and one terrorist of Arab descent were killed by this blast. Several explanations of that explosion were put forward; the criminal investigation accepted that the terrorist in charge of the operation, “*Polkovnik*” (Colonel), had executed the male hostages whom the terrorists no longer needed and at the same time activated the suicide bomber’s explosive belt because the women had objected to the treatment of children. Some of the surviving hostages testified that there had been an attack from the outside, as a result of which the explosive belt had detonated and killed the woman bomber, the Arab terrorist and several hostages.

43. Male hostages who survived the explosion in the corridor were finished off by automatic rifles. Karen Mdinardze survived the explosion as well as the ensuing execution. When the terrorists discovered that he was still alive, he was allowed to return to the gymnasium, where he fainted. He later testified about these events. At about 4.30 p.m. on 1 September the terrorists forced two men to throw the bodies out of a window on the first floor. One of them, Aslan Kudzayev, jumped out the window; he was wounded but survived. His wife is an applicant, she and her infant daughter were released on 2 September; their other daughter received injuries during the storming.

44. According to the investigation, sixteen men were killed by the terrorists on 1 September. Another sixteen persons were wounded on 1 September as a result of shots fired by the terrorists.

45. On 2 September at about 3 p.m. the terrorists fired several rounds from automatic weapons from the windows of the school, although it appears that no one was hurt and that no return fire followed.

(c) Negotiation attempts

46. At around 11 a.m. on 1 September the terrorists transferred a note to the authorities via one of the hostages, ambulance doctor Larisa Mamitova. She walked to the school gates, handed the note to a man who approached her and returned; in the meantime her minor son was held at gunpoint inside the building. This note contained a mobile telephone number and the names of persons with whom the terrorists wanted to negotiate: the North Ossetian President Mr Dzasokhov, the Ingushetian President Mr Zyazikov and paediatrician Mr Roshal. The note also stated that the school building had been mined and would be blown up in case of an attempt to storm it and that the terrorists would shoot fifty hostages for any one of them killed. However, it appears that the mobile telephone number was either wrongly noted or had been switched off, and no telephone contact could be established at that time.

47. At 1 p.m. on 1 September the Russian State TV programme “*Vesti*” announced that the attackers had transmitted a videotape to the authorities, containing their demands and images filmed inside the school. One hour later it was announced that the videotape was empty. Later on, the very existence of this videotape remained disputed.

48. Around 4 p.m. on 1 September Mrs Mamitova brought out a second note, containing a corrected mobile telephone number and the name of

another possible negotiator, aide to Russia's President, Mr Aslakhonov. She also told the person who collected the note that there were over 1,000 hostages inside the building.

49. The authorities contacted the terrorists through a professional negotiator, FSB officer Mr Z. His attempts to discuss proposals aimed at alleviating the hostages' conditions, the possibilities of exit or surrender or the removal of the bodies from the school courtyard remained futile.

50. Mr Roshal arrived in Beslan in the afternoon of 1 September 2004. When he called the hostage-takers, on 1 and 2 September, they were hostile and told him that they would enter into negotiations only if all four persons demanded by them arrived at the school. They told him that if he attempted to enter alone, he would be killed. They also refused to accept food, water or medicines, as well as to permit him to enter the building and examine the sick and wounded.

51. On 2 September the former President of Ingushetia, Mr Ruslan Aushev, arrived in Beslan on the invitation of the operative headquarters (OH). It appears that at about 3 p.m. he, for the first time, contacted by telephone Mr Akhmed Zakayev, the head of the self-proclaimed Chechen separatist government living in London. He told Mr Zakayev about the siege and said that the number of hostages exceeded 1,000 persons.

52. Following a telephone contact with the terrorists, at 3.30 p.m. on 2 September Mr Aushev was allowed to enter the school. He was the only person whom the terrorists agreed to let inside during the siege. Mr Aushev was led to the gymnasium and then had a meeting with the leader of the terrorists, Mr Khuchbarov ("*Polkovnik*").

53. Following negotiations, Mr Aushev was permitted to leave with twenty-six (other sources indicate twenty-four) persons – nursing mothers and their babies; all women had elder children in the school and were forced to leave them behind.

54. Mr Aushev brought out a message addressed to Russian President Mr Putin from Shamil Basayev. It demanded the pulling of troops out of Chechnya and the official recognition of Chechnya as an independent state. In return, it promised cessation of terrorist activities in Russia "for the ensuing ten or fifteen years". It bore no mention of the school siege. It appears that the terrorists also gave Mr Aushev a videotape depicting part of his visit, the gymnasium with the hostages, explosive devices and one terrorist holding his foot on the "dead man's switch". It also contained Mr Khuchbarov's statement that the negotiations should involve Aslan Maskhadov, the President of the self-proclaimed independent Chechen State, who had been in hiding at the time.

55. In the morning of 3 September the attackers tried to contact the authorities of North Ossetia with the assistance of the school director, Mrs Tsaliyeva. Two hostages – children of the North Ossetian Parliament's speaker, Mr Mamsurov, – were allowed to call their father on his mobile telephone and to tell him that they were suffering without water and food. It appears that family members of other possible contacts among officials and public figures (district prosecutor, a well-known sportsman) were singled out by the terrorists but that no contact was established.

56. In parallel to the negotiations carried out through Mr Z., on 2 September direct contact with the terrorists was established through

Mr Gutseriyev, an influential businessman of Ingush origin. The latter supplied Mr Aushev with the requisite telephone numbers, participated in the conversations with Akhmed Zakayev and eventually tried to liaise with Mr Maskhadov.

57. Thus, as can be judged from various information sources, at around 5 p.m. on 2 September Mr Aushev, Mr Dzasokhov and Mr Zakayev held a telephone conversation during which Mr Zakayev promised to involve Mr Maskhadov in the negotiations, without any preliminary conditions. By about 12 noon on 3 September these talks had apparently resulted in Mr Maskhadov's agreement to come to Beslan.

(d) Coordination of the authorities' actions and involvement of army and security detachments

58. At about 10.30 a.m. on 1 September 2004 the crisis OH was set up on the premises of the Beslan town administration. The exact composition, leadership and powers of this structure remain disputed. According to most sources, initially it was headed by Mr A. Dzasokhov, the North Ossetian President, and thereafter by General V. Andreyev, the head of the North Ossetian FSB. It was later established that the OH included the deputy head of the counter-terrorism commission of North Ossetia Mr Tsyban, the head of the North Ossetian Emercom Mr Dzgoyev, the North Ossetian Minister of Education Mrs Levitskaya, deputy head of the Information programme departments of the State Telecommunication corporation *Rossiya* Mr Vasilyev and the commander-in-chief of the 58th Army of the Ministry of Defence General Sobolev.

59. The detachments of the 58th Army started to arrive in Beslan in the afternoon of 1 September. On 2 September 2004 eight armoured personnel vehicles (APCs) and several tanks of the 58th Army arrived in Beslan. They were placed under the command of the FSB special purpose units and positioned around the school but out of the terrorists' sight.

60. Early in the morning of 3 September the FSB special purpose units went to Vladikavkaz for joint training with the Ministry of the Interior and the Ministry of Defence to prepare for a possible storming.

(e) Situation with the hostages' relatives outside the school

61. Thousands of people in Beslan were directly concerned with the crisis.

62. Despite the attempts of the authorities to clear the area, local residents, as well as ethnic Ossetians from outside Beslan, some of them armed, remained around the school building throughout the siege.

63. In the afternoon of 1 September the hostages' relatives were invited to the building of the town Cultural Centre. Until the end of the siege the Cultural Centre remained a hub for communicating with the relatives and for the provision of medical and psychological assistance to them.

64. At 7 p.m. on 1 September the North Ossetian President Mr Dzasokhov, the deputy speaker of the North Ossetian parliament Mr Kesayev and the North Ossetian Deputy Minister of the Interior Mr Sikoyev met with the relatives in the Cultural Centre. During this meeting Mr Sikoyev informed them that the terrorists had not put forward

any demands and that they had refused to accept food, water or medicine for the hostages.

65. At about 9.30 p.m. on 1 September Mr Roshal participated in the meeting at the Cultural Centre. He assured the gathering that the conditions in the school were “acceptable” and that the hostages could survive several days without food or water. He also stated that the terrorists had not put forward any demands to the authorities.

66. On 2 September a psychological aid unit was set up at the Cultural Centre.

67. Late in the evening on 2 September Mr Dzasokhov held another meeting with the relatives at the Cultural Centre.

68. At 11.15 a.m. on 3 September Mr Dzasokhov announced to the relatives that there would be no storming and that “new personalities” had appeared in the negotiation process.

69. Some of the applicants were among the relatives who gathered outside the school building or stayed at the Cultural Centre and have submitted written statements describing these events.

(f) Information about the crisis

70. From the outset the information about the hostage-taking was strictly controlled by the authorities. Mr Vasilyev, a member of the OH and senior employee of the State TV company *Rossiya* was put in charge of contacting the journalists.

71. In the afternoon of 1 September the media announced, referring to the official sources, that about 250 persons had been taken hostage. Later on the same day the media reported a “corrected” number of hostages: 354 persons. According to some hostages, this news outraged the terrorists and prompted them to execute or at least throw out of the window the bodies of the executed men. It also transpires from the hostages’ statements that after these announcements the terrorists refused to allow them to drink or go to the toilet, saying that “there should anyway be no more than 350 of you left”.

72. In the evening of 2 September Mr Roshal held a press-conference. He announced that he had talked on the telephone with a terrorist nicknamed “*Gorets*” (highlander) who had put forward no demands.

73. At 1 p.m. on 3 September the State TV showed terrorists’ relatives of Ingush origin who asked them to release the hostages. One woman, the wife of a presumed hostage-taker, said that she and her children were being held somewhere “against their will” and asked her husband to do everything “to avoid harming the children”.

7. Storming and rescue operation

(a) Morning of 3 September 2004

74. The hostages in the gymnasium were extremely exhausted and suffered from thirst and hunger. They had spent two days without sleep, in cramped conditions and the physical state of many had worsened: people started to lose consciousness, some children were hallucinating, having seizures and vomiting.

75. Early in the morning the terrorists lifted the IEDs in the gymnasium from the floor, hanging them along the walls.

76. At 11.10 a.m. the terrorists agreed with Mr Aushev and Mr Gutseriyev to allow Emercom to collect the bodies from the school courtyard.

77. According to some sources, at about noon Mr Dzasokhov informed the OH that he had reached an agreement with Mr Zakayev that Mr Maskhadov could arrive in Beslan with unhindered passage to the school. Mr Dzasokhov asked Mr Zakayev for two hours in order to put this agreement into practice.

78. At 12.55 p.m. an Emercom truck and four officers entered the school courtyard. The men had Mr Gutseriyev's mobile telephone to communicate with the terrorists. One of the terrorists came out and supervised their work. The explosions inside the gymnasium at 1.03 p.m. came unexpectedly to this group. The ensuing exchange of gun fire resulted in two officers' deaths.

(b) The first three explosions in the gymnasium

79. At 1.03 p.m. a powerful explosion occurred in the upper eastern part of the gymnasium. Part of the roofing was destroyed, the insulation caught fire, and fragments of the burning ceiling and roof fell into the gymnasium, killing and injuring people seated underneath. Many of the surviving hostages described the first explosion as a "fire ball", or a "column of fire", followed by white/silver powder falling from the ceiling. This explosion caused fire in the roof-space of the gymnasium. Twenty-two seconds later another explosion ripped through the lower part of the wall under the first window on the north-eastern side. The nature and origins of these explosions are vividly disputed (see documents referred to below).

80. These two explosions killed both terrorists holding the detonators; however most, if not all, of the IEDs remained intact. Dozens of people were killed, others were wounded or received burns of varying degrees, and almost everyone was shell-shocked. Many applicants submitted witness statements about these events.

81. Those hostages who could move and were able to reach the opening in the wall on the northern side started to climb through it and run outside. The terrorists fired at them from the upper floor, this prompted an exchange of gunfire between the terrorists and the security forces.

82. At this point General Andreyev issued an order to storm the building and to proceed with the rescue operation and neutralisation of the terrorists.

83. Several terrorists were killed or wounded during the first two explosions, however the majority of them survived, including "*Polkovnik*". They rounded up the survivors in the gymnasium (about 300 persons) and forced them to other premises of the main building, mostly in the southern wing: canteen, kitchen, meeting room and handicraft classrooms. Some hostages remained in the premises adjacent to the gymnasium (weights room, shower room).

84. The dead, injured and shell-shocked remained in the gymnasium, where the fire blazing in the roof-space continued to spread.

85. At about 1.30 p.m. the most powerful of the three explosions occurred in the southern part of the gymnasium. It appears that it was

caused by one of the large IEDs which had caught fire. Soon afterwards flames spread around the gymnasium, taking to the floor and walls of the premises. Some hostages continued to escape through the openings in the walls.

86. Between 1.30 p.m. and 1.50 p.m. servicemen of the security services and local residents broke the western wall of the gymnasium and entered the burning hall. They helped to evacuate survivors. Their movements were covered by an APC which came close to the school. No terrorists were found there, but the gymnasium was under fire, probably from terrorist snipers on the first floor.

87. At about 1.40 p.m. part of the burning roofing collapsed.

88. Hundreds of wounded hostages and servicemen were taken to the Beslan hospital in private cars and ambulances. An Emercom field hospital had been spread out in tents in the hospital courtyard in order to cope with the influx. Many injured were taken to the hospitals in Vladikavkaz. The hostages' relatives were not allowed to enter the hospital. Over 750 civilians and over 50 servicemen received medical help on 3 September 2004.

(c) Hostages in the southern wing

89. Over 300 hostages who had survived the explosions and fire in the gymnasium were taken by the terrorists to the canteen and kitchen situated on the ground floor in the southern wing. Other hostages were taken to the main meeting room situated above the canteen on the first floor. There they found stocks of water and food and could relieve their thirst for the first time in two and a half days.

90. The women and children in the canteen and meeting room were forced by the terrorists at gunpoint to stand in the windows and wave their clothes; some were killed or wounded by gunfire and explosions.

(d) Ensuing fighting

91. As shown by many witness statements, but not corroborated by the results of the criminal investigation, after 2 p.m. a tank with hull number 320 entered the school yard and fired several rounds at the canteen. It appears that another tank, with hull number 325 or 328, also fired at the school from a distance of about 20-30 metres. Some of the rounds were fired with solid shots, while others were probably done with ammunition (see below).

92. Two APCs entered the school yard and took part in the fighting with their large-calibre machine guns.

93. The army and FSB assault troops were positioned on the roofs of the five-storey apartment blocks, nos. 37, 39 and 41 of Shkolny Lane, located on the eastern side of the school. It appears that these servicemen fired at the school with portable grenade-launchers and fire-launchers (see below). Two MI-24 helicopters circled above the school. According to some sources, although not corroborated by the official investigation, at least one rocket was launched from a helicopter on the school's roof (see below).

94. At 3.10 p.m. the OH ordered fire brigades with water cannons to intervene, by which time the gymnasium was ablaze and other parts of the building were on fire. At the same time the head of the OH ordered the

servicemen of the FSB special forces units *Alfa* and *Vympel* to enter the building.

95. At about 3.30 p.m. the entire roof of the gymnasium collapsed. After 4.30 p.m. the fire was contained; the servicemen of the special forces and firefighters entered the gymnasium, but found no survivors there.

96. It appears that the servicemen of the special forces entered the canteen at about 4 p.m. through the openings in the walls and through the windows, once the metal bars blocking them had fallen inside as a result of an explosion or had been pulled out with an APC. Amid fierce fighting they evacuated the surviving hostages.

97. Numerous bodies of terrorists and hostages were found in the canteen, the meeting room and rooms and corridors of the southern wing.

98. At about 5 p.m. a strict security perimeter was established around the school. All civilians, Emercom staff, firefighters and servicemen of the army were ordered to leave, leaving only the FSB special forces inside. At about 5.25 p.m. the servicemen of the FSB special units held a minute's silence in the corridor of the southern wing in order to honour the memory of their comrades: ten members of the elite *Vympel* and *Alfa* units, including three group commanders, had lost their lives and about thirty were wounded – the biggest losses ever sustained by these units in a single operation.

99. After 6 p.m. several shots were fired at the southern wing of the building from anti-tank missiles and flame-throwers.

100. At about 9 p.m. two tanks fired at the school. There followed several powerful explosions which completely destroyed the walls and roofing of the handicraft classrooms in the southern wing.

101. The gunfire and explosions at the school continued until past midnight.

102. One terrorist, Nurpashi Kulayev, was taken alive. The rest, it appears, were killed during the storming. Consistent rumours circulated that some terrorists had escaped or were captured clandestinely.

(e) Events of 4 September 2004, identification of bodies and burials

103. In the night of 4 September Russian President Putin arrived in Beslan for several hours. He visited the town hospital and administration.

104. The school building remained encircled by soldiers throughout the day of 4 September.

105. At 7 a.m. Emercom staff started to collect the bodies and to clear the debris. Between 112 and 116 charred bodies were found in the gymnasium, and about 80 bodies in the adjacent premises (changing rooms, weights room). It appears that between 106 and 110 bodies were found in the southern wing of the school and on other premises. 18 bodies of men were collected in the courtyard. About 330 bodies (including over 180 children) were placed in the school yard and then taken to the Vladikavkaz morgue.

106. During the day on 4 September bulldozers and trucks arrived at the school. The remaining debris was loaded onto trucks and taken to the town rubbish dump. The victims alleged that they and other locals later found a number of important items of evidence among this rubbish, including the terrorists' personal belongings such as backpacks and razor blades, human remains, hostages' clothes, parts of IEDs.

107. At 6 p.m. on 4 September the security lines in Beslan were lifted. On the same day after 8 p.m. the units of the 58th army withdrew from the town.

108. On 5 September 2004 the first funerals took place. Over the following days collective burials of over 100 people followed. The local cemetery was too small and had to be extended; later a special memorial was erected there (see below).

109. However, many bodies were charred beyond recognition. On 17 September 73 bodies were taken to the forensic laboratory in Rostov-on-Don for identification through DNA tests. The identification and burials continued throughout December 2004.

110. The 5th and 6th of September 2004 were declared days of national mourning. On 6 September 2004 Russian President Putin spoke in a televised address to the nation announcing future measures to improve agencies' cooperation in counter-terrorism measures. He called the attack a "direct intervention of international terrorism against Russia".

8. Assuming of responsibility for the terrorist act

111. On 5 September 2004 the website Chechenpress.org published a message signed by "the President of Ichkeria" Mr Aslan Maskhadov, condemning the hostage-taking and terrorist attacks against civilians, but blaming the Russian authorities for the radicalisation of the Chechens.

112. On 17 September 2004 the website Kavkazcenter.com disseminated an e-mail, allegedly from Shamil Basayev, a leader of the radical wing of the Chechen separatist movement, who used the titles of "*Amir of Riyad-us Saliheen* Brigade of Martyrs" and "the chief of the high military *madjlisul shura* of the united Caucasus *mujahidin*". Mr Basayev, who at the time lived clandestinely in the Russian Northern Caucasus, claimed that his "martyrs' battalion" had carried out the attack in Beslan, as well as the explosions in Moscow and the plane crashes in August 2004.

113. The e-mail alleged that the special forces had started the storming and that the IEDs set up by the attackers in the gymnasium had not exploded. Mr Basayev further claimed that the following demands had been put to the authorities: that military actions in Chechnya be stopped, that troops be pulled out and that President Putin step down from his post. The note stated that all hostages, including children, had declared a "dry hunger strike" until these demands were granted. The letter contained details about the number and types of IEDs used, indicated the ethnic origin of thirty-three "*mujahedin*" who had taken part in "Operation Nord-West" (as they named the attack at the school) and alleged that the group had gathered and trained for the preceding ten days under Mr Basayev's personal leadership near the village of Batako-Yurt [near Psedakh in Ingushetia]. The letter also mentioned the message to President Putin, which had been transmitted through Mr Aushev, and contained its full text. Mr Basayev alleged that the only surviving terrorist, Mr Nurpashi Kulayev, had been taken into the group on the night preceding the operation. The document further stated that the leader of the operation, "*Polkovnik*", had called him after the storming had started to say that they had counterattacked, and that the last call from him had been received at 2 a.m. [on 4 September]. Finally, the letter cited the alleged costs of the terrorist attacks of August-September

2004: 8,000 euros for “Operation Nord-West”, 7,000 US dollars for the explosions in Moscow and 4,000 US dollars for the planes.

114. In August 2005 the same website published another message signed by Shamil Basayev. This message contained passages suggesting that a member of the group which had seized the school, Mr Vladimir Khodov, had been a double agent of the FSB and of Mr Basayev and that he had ensured the group’s “coverage” during the preparation for the attack and their unhindered passage to North Ossetia.

115. On 10 July 2010 Mr Basayev was killed by an explosion in Ingushetia. It was announced that his death was a result of a special operation by the Russian security services; it was also reported that the blast had resulted from mishandling of explosives.

9. Criminal investigation file no. 20/849

116. On 1 September 2004 the North Ossetian Prosecutor opened criminal investigation no. 20/849 concerning a terrorist attack at the school by an armed group and the murder of twelve male hostages.

117. On 2 September 2004 Mr Fridinskiy, Deputy General Prosecutor, ordered the transfer of the investigation concerning the hostage-taking of over 600 persons to the General Prosecutor’s Office in the Northern Caucasus. On the same day Mr Fridinskiy appointed a group of over sixty investigators from the prosecutors’ offices from the Southern Federal Circuit to take over the investigation, under the command of a special investigator of the General Prosecutor’s Office in the Northern Caucasus.

118. It appears that this investigation has been extended on several occasions and is still pending (or adjourned).

119. Many important investigative steps aimed at establishing the exact circumstances of the preparation and carrying out of the terrorist act, as well as the explosions in the gymnasium and the ensuing storming, have been taken in the course of these proceedings. The applicants have not been allowed full access to the documents of this file and few copies of documents from it have been submitted to the Court. The available information may be summarised as follows.

(a) Reconstruction of the events preceding the hostage-taking and identification of the organisers of the crime

120. The investigation found out that the group which had committed the terrorist act had been organised by Aslan Maskhadov, Shamil Basayev, “a mercenary of Arab descent” called Taufik-al-Jedani (Abu-Dzeyt), and their entourage. The aim of the group was “to break public peace and to scare the population, to put pressure on the State authorities in order to achieve withdrawal of troops from Chechnya”. In July-August 2004 the said persons had put together a plan to seize a large number of hostages among pupils and parents of school no. 1 in Beslan, as well as to commit murders of civilians, police officers and military servicemen.

121. In the second half of August 2004 the said persons put together an organised criminal group (gang), comprising over thirty persons. Its members included residents of Chechnya, Ingushetia, other regions of Russia and foreign mercenaries. The organisers of the terrorist act entrusted the command of the operation to an active member of the gang,

Mr Khuchbarov from Ingushetia, who used the nickname “Rasul” and radio call “*Polkovnik*”. Twenty-four terrorists were identified by their names, while at least six persons remained unidentified.

122. On 31 August 2004 the gang gathered in the vicinity of Psedakh in the Malgobek District of Ingushetia. They carried the following arms and ammunition (partly originating from the attacks in Ingushetia on 21-22 June 2004): no less than twenty Kalashnikov assault rifles, four Kalashnikov machine guns (RPK-74 and PKM), one tank machine gun (PKT), two portable anti-tank missile launchers (RPG-7v), four hand pistols and corresponding ammunition, including cartridges of different calibres and grenades of various modifications. In addition, the group carried two identical IEDs comprised of plastic explosives and hexogen, filled with metal pellets and electro detonators, with an impact radius of no less than 200 metres; six IEDs made of OZM-72 anti-personnel circular fragmentation mines; and so-called “suicide bomber belts” – IEDs containing plastic explosives and projectiles made of cut metal wires and metal sheets. The gang also used mobile telephones, a radio station and portable radio transmitters. The members were supplied with camouflaged clothes, balaclava masks and gas masks. They used a GAZ-66 vehicle to travel.

123. On 31 August 2004 Mr Khuchbarov informed the members of the gang about the forthcoming attack and distributed the roles between them. Early in the morning of 1 September 2004 they travelled towards Beslan; in the village of Khurikau along the way they captured local policeman G., also seizing his handgun and vehicle.

(b) Examination of the crime scene

124. Between 7 a.m. and 6.25 p.m. on 4 September 2004 a group of investigators and experts, in the presence of twelve witnesses, compiled a report of the school building and courtyard. The examination of the site was conducted simultaneously with the clearing of the debris and rescue operation. It ran to forty-five pages and was accompanied by video and photo materials.

125. The report mostly concentrated on the descriptions of the items found in the school, including personal belongings and documents of the hostages, the terrorists’ equipment and ammunition, damage to the structures of the building, as well as the terrorists’ bodies. Very little information was given about the location and state of the hostages’ bodies; most notably, page 24 of the report contained the following passage: “[in the gymnasium] from the floor up to 40-50 centimetres high there are found hundreds of burnt bodies of women, children and men, occupying about half of the gymnasium’s surface”. The report noted that the bodies were being carried out by the Emercom staff into the courtyard.

126. The description of the canteen on page 15 failed to mention the state of its two windows facing the railway line or to give any details about the nature and extent of damage to its walls other than “signs of damage from firearms on the walls [entailing] falling off of whitewash”.

127. The description of the southern wing on page 23 was limited to the following: “the said wing is almost destroyed and the Emercom servicemen

are clearing the debris, as a result of which no examination of this wing is carried out”.

(c) Expert report no. 1

128. Upon the investigation’s request, on 23 December 2005 an “all-round forensic expert examination no. 1” (“*комплексная судебная экспертиза*”, hereinafter “expert report no. 1”) was carried out. The request was to evaluate the conduct of the OH and of various military and security agencies on 1-3 September 2004. The experts visited the sites in Beslan and examined numerous items of evidence, including testimony of servicemen and other witnesses, photographs, graphic tables, and tapes of telephone and radio conversations. The report comprised over seventy pages. It concluded that the actions of the officials had been lawful and reasonable in the circumstances. In particular, it found that the members of the OH and the servicemen of the Ministry of the Interior, the Internal Troops, the FSB and the Emercom “had not committed any offences which could bear a causal relationship with the negative consequences resulting from the terrorist act of 1-3 September 2004 in Beslan”.

129. This document was extensively cited and relied upon in the subsequent proceedings, even though it was later declared invalid (see below).

130. The report focussed on several questions.

(i) Actions of the OH

131. First, the report found that the actions of the OH had been focused on negotiations with the terrorists in order to obtain release and safety for a maximum number of persons. The terrorists’ demands transmitted through Mr Aushev could not have served as the subject-matter of negotiations, since they threatened the basis of the Constitutional order and Russia’s territorial integrity.

132. The involvement of Mr Aushev and Gutseryev as negotiators, as suggested to the OH by the FSB, and the success of Mr Aushev’s mission when he took out twenty-six persons, had served as an antidote against the escalation of the ethnic Ossetian-Ingush conflict.

133. In respect of Mr Maskhadov’s involvement in the negotiations, the report found that Mr Dzasokhov and Aushev had talked to Mr Zakayev on 3 September in the morning and that the latter had told them that his connection with Mr Maskhadov had remained at a one-way level. They suggested to Mr Zakayev that he contact Shamil Basayev, but he refused in view of their past conflict.

134. The report also covered the question of Mr Dzasokhov’s involvement in the OH. It stated that on the morning of 1 September 2004 Mr Dzasokhov had taken an active part in the work of the OH. Under his command the officials had ensured a security perimeter around the school, informed the public about the measures taken, supplied the local population with the necessary provisions in the Cultural Centre, and set up a field hospital. The information to the inhabitants was provided hourly through Mr Dzugayev, the North Ossetian President’s press-secretary. Mr Dzasokhov took care of the immediate needs of the first day of the siege, coordinating various agencies involved, increasing the security of

other vital objects in the Republic. When the terrorists named him as a negotiator, Mr Dzasokhov had been prepared to go ahead, but the OH formally prohibited him from doing so.

135. Having scrutinised the taped conversations between the hostage-takers and the OH, as well as between the terrorists inside the building and their collaborators outside (namely several conversations with someone using the call-name “Magas” recorded after the start of the storming), the experts found that the terrorists had unconditionally refused to discuss any measures aimed at alleviating the hostages’ situation, or any other arrangements except for political demands relating to the situation in Chechnya, and insisted that the hostages had voluntarily joined them in declaring a “dry hunger strike”. The telephone conversations were often ended by them in an aggressive manner and without apparent reason. Furthermore, they had anticipated and planned their own deaths, as well as numerous deaths among the hostages, as attested by the cheers and support received by them from “Magas” once the storming had started. These later conversations contained references to the “meeting in heaven”, “fulfilling the duty”, becoming martyrs (*Shahid*), welcomed the killing of infidels and referred to the situation of the storming as “going normal”.

(ii) Prevention of the terrorist act

136. The report relied on numerous telexes, orders and directives issued by the Ministry of the Interior and the FSB in July – August 2004, indicating a heightened terrorist threat in the Northern Caucasus and ordering various measures to be taken by the local police and security forces. As of 22 August all forces of the Ministry of the Interior in the Southern Federal Circuit had been put on alert (“*усиленный вариант несения службы*”). On 24 and 31 August special measures were requested from the local police offices to prevent terrorist acts from taking place during the Day of Knowledge on 1 September.

137. In respect of the Pravoberezhny ROVD of Beslan (situated next to the school building) the report concluded that the commanding officers had failed to take certain preventive steps. In particular, the personnel of the ROVD had not been instructed about the actions to be taken in case of emergency, and no plan had been put in place to ensure additional security during the ceremonies in the schools. The only police officer present at school no. 1 was unarmed, namely Mrs D. Two other police officers who had been scheduled to guard the school during the ceremony were absent. Two patrol officers of the transport police had been transferred elsewhere to ensure the passage of Mr Dzasokhov’s convoy along the “Kavkaz” federal highway. As a result, the terrorists had unhindered access to the school and were able to force a large number of hostages inside. No reaction from the local law-enforcement bodies had been forthcoming during the first fifteen minutes of the attack.

138. The servicemen of the Pravoberezhny ROVD, having received no instructions beforehand and having no preliminary plan of action in the event of a terrorist act, had received arms and ammunitions at the ROVD and by 10 a.m. had set up a security cordon around the school. Information about the school siege had been immediately transmitted to the North Ossetian Ministry of the Interior. The report found that the actions of the

senior staff of the Pravoberezhny ROVD had amounted to professional negligence.

139. In respect of the situation in the Malgobek district of Ingushetia, the report concluded that the local police had failed to prevent the members of the gang from assembling and training there at the end of August. Reference was made to the pending criminal case against the senior officers of the Malgobek ROVD (see below).

(iii) Actions of the Internal troops

140. The report concluded that the servicemen of the Internal Troops had been employed only in the outer security perimeter around the school, the first one being ensured by the FSB special forces. They had taken no part in the fighting; their actions and equipment had been in full compliance with the relevant legal acts and pertinent to their tasks.

(iv) Actions of the special units of the FSB

141. servicemen of the FSB special forces had taken part in the operation. The servicemen were armed with customary weapons, as well as special equipment such as RPG-26 portable grenade-launchers and RPO-A "Shmel" portable flame-throwers.

142. Turning to the events of 3 September 2004, the report presented the following chronology. By 1 p.m. no plan existed to start the storming. Two special forces' groups had been out of Beslan training for the possible development of the situation; snipers and intelligence groups kept monitoring the object from their positions; an emergency group of thirty-two persons was positioned behind the housing blocks; and the remaining servicemen stayed at the assembly point.

143. The explosions which occurred at 1.05 p.m. were caused by two IEDs. No shots were fired at that time, as the Emercom staff were working in the front yard of the school. In any event, the place of the explosion was invisible from the snipers' positions.

144. No flames appeared in the gymnasium after the two explosions. The hostages started to run out through the openings ripped in the walls. The terrorists opened fire on the escaping people using automatic rifles and machine guns. Pursuant to the instruction of the head of the OH, the servicemen of the special forces were ordered to save the hostages. The terrorists were aimed at by the fire-support group and under cover of three APC-80s.

145. A group of servicemen entered the weights room and evacuated from it several women with small children. This group then entered the gymnasium and started to take out the hostages. The terrorists opened fire at them. Two servicemen took positions on the floor and returned fire, while the rest continued to lead the hostages out. At about 1.40-1.50 p.m. the terrorists fired several shots from portable grenade-launchers (RPG-18 "Mukha") at the gymnasium, killing and injuring several hostages, wounding two officers of the special forces and starting a fire in the gymnasium.

146. The rescue operation lasted until 2.40 p.m., at which time all available FSB forces had been regrouped pursuant to a previously adopted plan. At 3 p.m., upon an order from the commander, they stormed the

building. Their movements inside the building were slowed down by low visibility from smoke and whitewash powder and the presence of hostages whom the terrorists were using as human shields. The terrorists employed automatic weapons, hand grenades and portable grenade-launchers, while the FSB forces were constrained to fire single shots, to avoid excessive harm to the hostages. By 6 p.m. no hostages remained in the building. Only once this had been ensured did the forces of the FSB use heavy weapons against the terrorists who had refused to surrender. Hand grenades, RPG-20 portable grenade-launchers and “Shmel” flame-throwers were used for the first time after 6 p.m. At 9 p.m. a T-72 tank was used to make openings in the walls and to suppress enemy fire points, since further movements in the building were impossible because of mines laid by the terrorists. The records of the site examinations and video materials showed that no bodies of hostages were found in places where the terrorists were killed by heavy arms and team weapons.

147. Ten servicemen of the special forces were killed during the operation, and eleven received injuries. The fatal casualties included two lieutenant-colonels [group commanders], one of whom had died in the first minutes of the storming when he rushed to the school covering the escaping hostages; the second died in the main meeting room while trying to release the hostages detained there.

148. The report analysed the circumstances of the deaths and injuries of each serviceman of the special forces which occurred between 1.20 p.m. and 3 p.m. on 3 September and concluded that their actions had been lawful and adequate and had demonstrated their high professionalism, courage and self-sacrifice.

(v) Actions of the army

149. The commander of the 58th army of the Ministry of Defence, General Sobolev, was informed of the hostage taking at 9.38 a.m. on 1 September. On the same day, by 1.30 p.m. the third ring of the security perimeter had been set up around the school by the 58th army servicemen. The servicemen were armed with various automatic weapons and portable grenade and mine launchers, but they did not use any of them since their task was limited to maintaining the security line.

150. As to the use of military vehicles, the report found, on the basis of various descriptions, plans, logbooks and servicemen’s testimony, that on 2 September three T-72 tanks with hull numbers 320, 325 and 328 had been transferred under the command of the FSB officers. Tanks with hull numbers 320 and 328 manoeuvred around the school following the commands of the FSB officers but did not open fire. A tank with hull number 325 fired seven high-fragmentation shots, calibre 125 millimetres, at the canteen situated in the right wing of the school, following the directions of the FSB officer in charge. The shots were fired between 9 p.m. and 9.30 p.m. on 3 September 2004. The report concluded that the use of the tank had occurred after the end of the rescue operation at 6 p.m., when no harm could have been caused to the hostages and was guided by the need to suppress enemy fire in the most efficient way.

151. Several other military vehicles were used during the operation, also under the command of the FSB officers. Eight APC-80s were stationed at

various points around the school from 1 or 2 September 2004 onwards. Of them two, with hull numbers 823 and 824, took part in the storming operation. APC number 823 used a heavy machine gun (calibre 7.62 millimetres) between 2 p.m. and 2.20 p.m. to suppress terrorists' firing positions on the school's roof. At the same time an APC with hull number 824 fired several rounds from a heavy machine gun at the windows of the first floor, covering the *Alpha* servicemen who had entered the building. The remaining military vehicles took no active part in the fighting. The experts concluded that the use of the machine guns in the circumstances was fully appropriate and could not have entailed injuries or deaths among the hostages.

(vi) *Actions of Emercom*

152. From 9.35 a.m. on 1 September, various services of Emercom from North Ossetia and neighbouring regions began to arrive at school no. 1. They included brigades specialising in extinguishing major fires and fire engines with water tanks or cisterns. Rescue workers arrived with special equipment and search dogs. At 5 p.m. on 1 September 2004 fourteen psychologists started working with the relatives; by 4 September 2004 fifty-one psychologists were working in Beslan. The centre of psychological assistance was in the Cultural Centre, where ambulance doctors were called whenever necessary. In total, between 1 and 4 September 2004, 254 persons and seventy vehicles of Emercom were deployed in Beslan.

153. At 12.40 p.m. on 3 September four servicemen of the Emercom rescue team were instructed to retrieve bodies from the school's courtyard. They received safety guarantees and a mobile telephone to communicate with the terrorists in the school. Following the explosions in the gymnasium, chaotic firing from the upper floor and roof by the terrorists left two servicemen dead and two injured.

154. The report then focussed on the actions of the fire brigades on 3 September. At 2.51 p.m. a fire alert was given to the firefighting service. At 3.20-3.25 p.m. fire brigades arrived at the scene. The delay in arriving was caused by the order of Mr Andreyev, who had considered that the firemen and their engines could have been attacked by the terrorists, rendering the rescue operation more complex. At 3.26 p.m. two brigades rolled out fire hoses and proceeded to extinguish the fire. Each cistern contained about 2,000 litres of water, which was its full capacity, used within three to five minutes. The fire hydrant in the school could not be used, as it was located in the military engagement area. At 3.35 p.m. two other fire units arrived and were stationed on the northern and eastern sides of the gymnasium. Deputy North Ossetian Emercom Minister Colonel Romanov assumed the role of incident commander. Five fire hoses were deployed. A supply of water from a water hydrant situated within 200 metres was ensured; the firemen also used water from newly arrived tanks.

155. The fire was contained and extinguished by 9.09 p.m. The operation was protracted since on two occasions the firemen were removed from the school upon the special forces' orders.

156. In the meantime, the Emercom rescue workers evacuated hostages from the school building. By 4 p.m. they took out over 300 persons, including 100 children. After the fire was extinguished, rescue teams started

to search the debris in the gymnasium. They had to stop at 10.25 p.m. when unexploded IEDs were discovered and sappers were called in.

157. Immediately after midnight on 4 September a fire started in the southern wing of the school building, on the premises occupied by the canteen, handicraft classrooms, library and meeting room. Four firefighting brigades arrived on the spot and the fire was contained and extinguished by 3.10 a.m.

158. At 7 a.m. on 4 September Emercom rescue workers, assisted by military servicemen, started to clear the debris and search for the bodies. 323 dead bodies were collected and sent to the forensic unit in Vladikavkaz. At 7 p.m. the search and rescue operation in the school was over.

159. The report concluded, with reference to the evidence contained in the case file, that the deaths of 112 persons whose bodies were found in the gymnasium had been caused by the explosions of the IEDs. The bodies found there had between 70 and 100% of their surface carbonised; the carbonisation had occurred post-mortem. The firefighters had to act in extreme conditions, under threat to their lives. The organisation and equipment supplied were sufficient to ensure the carrying out of their tasks.

(vii) Challenge to the report's conclusions

160. On 9 November 2006 the Leninskiy District Court of Vladikavkaz, upon the applicants' application, declared the expert report no. 1 invalid owing to a number of grave breaches of the procedural legislation governing the appointment of experts and the carrying out of expert evaluations.

(d) Chronology of the OH's actions

161. The investigation established the following time-frame of the action of the OH (as set out in expert report no. 1 and subsequent documents):

(i) 1 September 2004

162. At about 10.30 a.m. the OH was set up, in accordance with the plan of action in case of terrorist threat issued on 30 July 2004. Initially it was headed by the President of North Ossetia Mr Dzasokhov, the head of the North Ossetian FSB Mr Andreyev and the North Ossetian Minister of the Interior Mr Dzantiyev. On 2 September 2004, pursuant to the instructions of the Prime Minister, Mr Andreyev was appointed as head of the OH. Prior to this appointment, Mr Andreyev had been in charge of coordinating the actions of various law-enforcement and military structures, including the FSB units arriving in Beslan. Two deputy directors of the FSB, Mr Pronichev and Mr Anisimov, who had arrived in Beslan on 2 September, acted as consultants and did not interfere in the command of the operation.

163. Between 11 a.m. and 2 p.m. the operative headquarters ensured the evacuation of residents from adjacent premises, as well as cordoning off the school. The police and security forces searched basements and attics of the nearby buildings, cleared the adjacent streets of parked vehicles and closed them to traffic, closed the local railway line and took other necessary measures. In order to avoid harm to the hostages and other civilians, it was also ordered not to respond to the random shots fired by the terrorists.

Scanning of radio frequencies in the vicinity of the school had been put in place by the Ministry of the Interior, the FSB and the army.

164. At 11.05 a.m. the terrorists transmitted the first note, containing a telephone number and naming possible negotiators. However, the telephone number had been indicated incorrectly and no contact could be established.

165. Between 11.30 a.m. and 13.30 p.m. two safety perimeters were put around the school, composed of police and army servicemen, using seventeen APCs. At noon on that day the APCs were withdrawn out of the terrorists' view, in order to avoid provocation.

166. At 11.40 a.m. the OH started compiling a list of the hostages.

167. At 12.35 p.m. the OH invited the North Ossetian mufti to take part in the talks; but the terrorists opened fire on him when he tried to approach the seized building.

168. At 1.55 p.m. all reserve forces of North Ossetia's police, including local policemen in towns and villages along the administrative border with Ingushetia and police academy students, were placed on high alert.

169. At 4.05 p.m. hostage Mrs Mamitova brought out a second note with a corrected telephone number.

170. Between 4.05 p.m. and 5 p.m. a series of gunshots and explosions were heard inside the school. The OH instructed Mr Z., a professional negotiator from the North Ossetian FSB, to contact the terrorists by telephone. The hostage-taker presented himself as "*Shakhid*" and said that he had executed ten persons and blown up twenty others because the authorities had been slow in contacting them. Then he insisted that the men indicated in their note (Mr Zyazikov, Dzasokhov, Aslakhonov and Roshal) should arrive at the school together. Mr Z. pleaded for time to bring the four men to Beslan. The terrorist said that the gymnasium had been mined and would be blown up in case of storming.

171. At 4.30 p.m. Mr Kastuyev escaped from the school by jumping out of the first floor window. He identified a photo of one terrorist from Ingushetia; on the same day his relatives were brought from Ingushetia by the FSB. However it transpired that the identification was incorrect. This man was killed in Ingushetia later while actively resisting the authorities.

172. During the day the OH collected information about possible hostage-takers and their relatives, so as to involve the latter in the negotiations.

173. At 5 p.m. the terrorists fired several random shots from automatic weapons and portable grenade-launchers. About a dozen bodies were thrown out of the window. The OH took steps to prepare for the evacuation of injured persons to the local health establishments; psychological support had been called in for the hostages' relatives.

174. At 5.45 p.m., in order to prevent dissemination of incorrect information, it was decided that all contacts with the media should be carried out by Mr Andreyev, Dzantiyev and Dzugayev; Mr Peskov from the Russian President's Administration was given the task of liaising with journalists.

175. At 6 p.m. the North Ossetian Ministry of Health designated hospitals to be on stand-by; twenty-eight ambulance vehicles were deployed.

176. At 6.30 p.m. special forces of the FSB (“*подразделения центра Специального назначения (ЦСН) ФСБ России*”) arrived in Beslan and set up their headquarters. They started contemplating various possibilities of liberating the hostages and neutralising the attackers.

177. At 7.20 p.m. hundreds of bottles of water, juice and food rations were stocked by the headquarters for the hostages’ eventual needs.

178. At 9.30 p.m. Mr Roshal arrived in Beslan. The terrorists refused to accept water or food through him. They continued to insist that all four men indicated by them should arrive. Mr Roshal was permitted to talk on the telephone with the school director, who described the situation inside.

179. At 9.36 p.m. the OH continued talks with the attackers. They tried to involve journalists of an Arab TV company in the negotiation process, but this was rejected by the terrorists. At the same time, they contacted former President of Ingushetia Mr Aushev and an influential businessman Mr Gutseriyev.

180. At 10.20 p.m. the OH tried to arrange the liberation of hostages against payment of money and unhindered passage to Chechnya or Ingushetia; twenty buses were called in case the terrorists agreed.

181. By the end of that day, six hostages who had escaped from the school had been questioned in order to obtain information about the number and location of the terrorists and hostages inside the school, as well as to draw a plan of the IEDs.

(ii) 2 September 2004

182. At 9.30 a.m. some hostages were allowed to call their relatives, in order to put pressure on the authorities.

183. At 10 a.m. the OH authorised Mr Gutseriyev’s participation in the negotiations. His offers of money and guarantees of unhindered passage were rejected by the hostage-takers.

184. At 1 p.m. Mr Andreyev spoke in front of the hostages’ relatives and assured them that no storming would take place. This was done in view of the rumours circulating among the local population and the ideas of forming a “life ring” around the school by civilians.

185. At 1.50 p.m. religious Muslim leaders of Chechnya, Ingushetia and North Ossetia spoke in a televised address, calling for peace and trying to prevent further ethnic clashes.

186. At 2.40 p.m. Mr Aslakhonov spoke to the attackers on the telephone; he assured them that their demands would be transmitted personally to Russia’s President. The terrorists insisted that he arrive in Beslan together with Mr Aushev.

187. At 2.45 p.m. the FSB of Russia, by a coded message, appointed Mr Andreyev the head of the OH; the list of members of the headquarters included Mr Dzasokhov, the head of Ingushetia’s FSB Mr Koryakov, commander of the 58th army General Sobolev, deputy commander of the Internal Troops of the Ministry of the Interior Mr Vnukov and other officials. All members of the OH were informed of their positions.

188. At 3.23 p.m. Mr Aushev was permitted to enter the school. Between 4 p.m. and 4.30 p.m. he negotiated with the terrorists; as a result of his mission twenty-six persons were released: babies aged under two and

their mothers. Mr Aushev also brought out a letter signed by Shamil Basayev with a demand to withdraw troops from Chechnya.

189. At 5.30 p.m. an additional debriefing of former hostages took place, in order to obtain more information about the positions of hostages and terrorists and the locations of IEDs.

190. At 5.40 p.m. the OH ordered measures aimed at identifying and neutralising possible terrorists' accomplices outside the school.

191. At 6.05 p.m. Mr Aushev proposed to the terrorists that the bodies be collected. They agreed to consider this proposal.

192. At 7.20 p.m. the attackers told Mr Roshal, Mr Gutseriyev and Mr Z. that the hostages had refused to accept food, water or medicine.

193. At 8 p.m. the terrorists fired random shots from automatic rifles and portable grenade-launchers out of the school's windows. The OH ordered that the surrounding territory be cleared of parked vehicles.

(iii) 3 September 2004

194. In the morning an agreement was reached, through Mr Aushev and Gutseriyev, to evacuate the bodies from the school yard.

195. At 12 noon the Emercom officers were appointed and necessary transport was arranged. They received appropriate instructions and means of communication. At 12.40 p.m. the officers started to collect the bodies. One terrorist descended to the courtyard and supervised their work.

196. At 1.05 p.m. two powerful explosions occurred in the gymnasium. Part of the wall collapsed and the hostages, in panic, started to exit through the opening. The terrorists opened fire on them from automatic rifles and RPG-18 portable grenade-launchers from the windows of the first floor. Twenty-nine persons were killed as a result of gunshot wounds.

197. At 1.10 p.m. the head of the OH, Mr Andreyev, gave written orders to the units of the FSB special forces to commence the operation aimed at saving the hostages and neutralising the terrorists.

198. At 1.15 p.m. the first hostages were taken to hospitals in Beslan and Vladikavkaz.

199. At 1.20 p.m. one terrorist - Mr Kulayev - was detained, and handed over to the investigators.

200. As a result of the explosions and the ensuing fire at least 250 hostages died; the rest were forced by the terrorists to move to the meeting room and other premises of the school.

201. At 2.50 p.m. a fire broke out in the gymnasium. The expert report on fire and explosions established that the epicentre of the fire was located in the roofing of the gymnasium, above the exit.

202. Mr Andreev ordered the firemen not to intervene immediately, in view of the continuing fighting, the risk to the firemen's lives and the danger of delaying the rescue operation, thus entailing more victims.

203. The OH ordered the firefighters to intervene at 3.10 p.m. They arrived at 3.20 p.m. and proceeded to extinguish the fire.

204. At 6 p.m. the rescue operation was over. The OH ordered the deployment of heavy weaponry to neutralise the terrorists.

205. At 0.30 a.m. on 4 September the sweeping of the school building was over and a security cordon was set up. At 1 a.m. demining started.

(e) Information about FSB actions and questioning of senior FSB officers

206. The investigation established that two deputy directors of the FSB, Mr Pronichev and Mr Anisimov, had been present in Beslan during the crisis.

207. In July 2007 the applicants wrote to the FSB director and referred to the meeting they had had with the Deputy General Prosecutor in charge of the case who had told them that the relevant video and audio materials could not be found. In December 2006 State TV aired a film “The Final Assignment” containing video and audio materials made by the special forces in Beslan on 1-3 September 2004. They sought to ensure that these records would be given to the General Prosecutor’s Office. They also asked that the members of the special forces be questioned during the investigation. In September 2007 the FSB informed the applicants that any such actions would be done in response to the relevant requests by the prosecutor’s service and in line with the legislation.

208. It is unclear from the available documents which servicemen of the FSB were questioned in the course of the investigation and what other relevant documents have been examined.

(f) Information about the arms and ammunition employed, explosives and ballistics expert reports

209. According to a document of 9 September 2004, one military unit of the 58th army of the Ministry of Defence deployed in Beslan used several thousand cartridges for automatic weapons and machine guns, 250 tracer bullets, 200 armour-piercing and incendiary charges and ten hand-grenades. It appears that the investigation file contains other similar documents cited in Mr Savelyev’s report (see below).

210. Several experts’ reports were commissioned by the investigation. The victims challenged certain procedural steps related to the commissioning of these reports and complained that they had not been allowed to take copies of them but were able to assess them in the prosecutor’s office for a limited amount of time. No copies of these reports have been submitted to the Court, although the websites devoted to the Beslan tragedy contain some covertly obtained photographs of some of these documents. Judging from the available sources, the following experts’ reports were commissioned and obtained by the investigation.

211. On 22 December 2005 the Russian Federal forensic expert centre produced a fire expert’s report (*закключение пожаро-технической судебной экспертизы*) no. 2576/17, 320-328/18-17. The report, as cited by Mr Savelyev, concluded that the first two explosions in the gymnasium had resulted from the IEDs attached to the basketball hoop near the western wall and a chair about 0.5 metres away from the northern wall under the window (and equivalent to 5.2 kilograms of TNT).

212. On 30 December 2005 the FSB’s Institute of Forensic Studies (*Институт Криминалистики ФСБ РФ*) produced expert report no. 4/106. As cited by Mr Savelyev, the report established that three IEDs had exploded in the gymnasium: one at the basketball hoop on the western wall, the second on the right-hand jamb of the door to the gymnasium on the western wall and the third on the window pane of the first window on the

northern wall. The last IED consisted of a plastic bottle equivalent to 1.2 kilograms of TNT.

213. On 25 October 2006 an all-round forensic report on the explosions (*комплексная криминалистическая экспертиза математического моделирования взрывов*) was commissioned from the experts of the State-owned scientific and production company *Bazalt* (ФГУП ГИПП “Базальт”) and the Central Research and Testing Institute, named after Karbyshev, of the Ministry of Defence (*Центральный Научно-исследовательский испытательный институт им. Карбышева Министерства обороны РФ*). As disclosed by media reports, this expert report was prepared in November 2006. Its principal aim was, apparently, to test various conclusions contained in Mr Savelyev’s report of August 2006. The report found Mr Savelyev’s conclusions about the origin of the first explosions inconsistent. According to the sources cited therein, the report found that the first explosion had occurred in the north-western corner of the gymnasium close to the first window on the northern wall. The large IED consisted of a “trunk” with three to six kilograms equivalent of TNT and was placed on a chair about one metre from the northern wall and five metres from the eastern wall. The second explosion consisted of several simultaneous detonations of five to ten IEDs in the north-western part of the gymnasium.

214. In January 2007 Mrs Tagayeva applied to the prosecutor’s office to have the experts of *Bazalt* dismissed, as they had been administratively dependent on the Ministry of Defence. Her application was rejected on 30 January 2007 because no subjective bias of the experts could be discerned and, objectively, the Ministry of Defence had not been a party to the criminal proceedings.

(g) Decision not to charge servicemen with crimes

215. On 3 December 2004 the Vladikavkaz deputy military prosecutor issued an order not to prosecute unnamed military servicemen of the 58th army of the Ministry of Defence and of the Internal Troops of the Ministry of the Interior. The document stated that the investigation had established that the personnel of the army and the Ministry of the Interior had used automatic weapons, RPG-25 grenade-launchers, RPO-A “Shmel” flame-throwers and T-72 tanks. The document then proceeded to describe the events of the siege and storming, in line with witness statements of General Sobolev of the 58th army. In particular, the document stated that on 1 September 2004, during the first meeting of the OH, it had been decided that Mr Dzasokhov’s involvement in the negotiations was “devoid of purpose” (*“нецелесообразно”*) since there was a threat of his being taken hostage too. It further stated that although the decision to clear the area around the school of civilians and armed “volunteers” had been taken at about 12 noon on 1 September, it had not been implemented until 3 September. Furthermore, on 2 September the terrorists demanded that Mr Dzasokhov, Mr Zyazikov, Mr Aslakhonov and Mr Roshal arrive for negotiations, but the OH had decided that such talks were also “devoid of purpose”. After the first explosions at 1.10 p.m. the terrorists opened fire at the hostages running out of the gymnasium, following which the servicemen of the second security perimeter opened return fire. At 2 p.m. a group of

sappers under the command of Colonel Nabiyev started to demine the gymnasium; at the same time he called for firemen to extinguish the fire. The first fire vehicle arrived at 2.45 p.m. and contained 200 litres of water; the second vehicle arrived at 3.45 p.m. and proceeded to extinguish the fire. At 9 p.m. the storming of the building was over; the search and elimination of terrorists continued until 0.30 a.m. on 4 September 2004.

216. The document then summarised the witness statement of Mr Tsyban, who explained that the OH had officially been created on 2 September 2004 at about 12 noon under the command of General Andreyev. The OH decided that Mr Dzasokhov's involvement in the negotiations could not be authorised in view of the threat of his being taken hostage.

217. The document then related the witness statements of about a dozen servicemen from the 58th army – sappers, tank and APC commanders. They stated that the tanks had fired seven shots in the evening of 3 September 2004 and that none of them had fired at the school during the daytime.

218. The document then referred to several hundred names of military servicemen who had been employed in the security perimeter. Their statements were summarised in the following manner:

“while securing the area no instances of any loss or stealing of arms or ammunition were noted, and there were no attempts by the terrorists to break through or to get away. Since the commanders had issued an order not to open fire unless there was an open breakthrough of the terrorists, no fire was opened and the use of firearms was regulated by section 11 of the [Army Manual]. There were no noted instances of breaches of order or unauthorised use of firearms. No ammunitions were used”.

219. The document concluded that the servicemen of the Ministry of the Interior and the Ministry of Defence had used “personal, authorised, small-arms weapons, engineering hardware and chemical weapons, destined to cause harm to manpower, but this ammunition was used in line with the [appropriate] legislative acts and owing to the inability to prevent the terrorists' actions by any other means; the use of the above weapons resulted in the terrorists' extermination or detention”. The document further stated that the investigation had obtained no evidence that the use of the above-listed weapons had resulted in harm to any of the hostages. Accordingly, there was no evidence of an offence having been committed.

(h) Decisions not to charge officials with offences

220. In March 2006 the victims lodged an application to have the competent officials, including Mr Dzasokhov, Mr Andreyev, Mr Popov and Mr Romanov charged with criminal negligence and withholding of information entailing danger to persons' lives and health, with serious consequences (sections 293 part 2 and 237 part 2 of the Penal Code). In particular, they argued that no necessary preventive measures had been taken prior to the terrorist act; that the OH had remained passive and failed to ensure meaningful negotiations with the hostage-takers; that as a result of the inaction of the OH the hostages' conditions on 1-3 September 2004 had deteriorated and thus rendered them weak by the time of the storming; that the failure of Mr Dzasokhov, Mr Zyazikov and Mr Aslakhanov to appear for negotiations had excluded the possibility of a dialogue; that the security perimeter around the school had not been properly ensured; and that the

storming operation had not been thoroughly prepared. The victims alleged further that the military and security forces had acted without a plan and employed excessive and indiscriminate weapons after 1 p.m. on 3 September. In respect of this last assertion they referred to several dozen witness statements collected during the trial of Nurpashi Kulayev and attesting to the use of flame-throwers, grenade-launchers, tanks and APCs. They further alleged that the delay between the start of the fire in the gymnasium and the commencement of the extinguishing operation had taken one and a half hours, and that the firefighters had been unprepared since they lacked water. As a result, dozens of hostages including children in the gymnasium had been burnt alive, since they were injured, shell-shocked, disoriented or too weak to leave it on their own.

221. On 14 March 2006 the Deputy General Prosecutor rejected this application, having found that the decisions of the investigating officers had been lawful and that the actions sought by the victims were not necessary as the relevant facts had been established through other steps. On 26 June 2007 the Promyshlenny District Court of Vladikavkaz granted the victims' appeal against the said decision and ordered the Deputy General Prosecutor to examine the victims' applications in detail and to provide them with reasoned answers to each of their arguments. On 15 August 2007 the North Ossetia Supreme Court quashed and remitted the District Court's decision. On 24 August 2007 the District Court confirmed the validity of the decision of 14 March 2006. It was then approved by the North Ossetia Supreme Court on 3 October 2007. The victims' subsequent requests for supervisory review proved futile.

222. In the meantime, and in parallel to the above-mentioned proceedings, on 20 April 2006 an investigator of the General Prosecutor's Office Department in the Southern Federal Circuit decided not to open a criminal investigation, under the same sections of the Penal Code, in respect of the head and members of the OH. The investigator found that there were no constituent elements of an offence in the officials' actions. He relied heavily on the conclusions of expert report no. 1 to the effect that the actions of the OH had been in conformity with the relevant rules and regulations. The victims appealed, and on 3 April 2007 a judge of the Leninskiy District of Vladikavkaz quashed the said decision of the investigator, since expert report no. 1 had been found unlawful. On 2 May 2007 the North Ossetia Supreme Court quashed and remitted the District Court decision, having found that it was not based on all the materials available. In a new set of proceedings on 6 June 2007 the Leninskiy District Court rejected all the applications and found that even though expert report no. 1 had been invalidated, the evidence on which it had relied remained valid and supported similar conclusions. On 15 August 2007 the North Ossetia Supreme Court upheld this decision.

223. In May 2007 the applicants applied to the General Prosecutor's Office in the Southern Federal Circuit to have Mr Dzantiyev, the North Ossetian Minister of the Interior, charged with criminal negligence. On 1 June 2007 that application was dismissed. Upon the victims' appeal, on 18 February 2008 the Promyshlenny District Court of Vladikavkaz, then on 27 March 2008 the North Ossetia Supreme Court, upheld that decision.

224. In July 2007 the applicants applied to the prosecutor's office to "evaluate" the actions of the North Ossetian senior officials who had failed to prevent the terrorist act and to inform the population about the imminent threat or to ensure a proper security perimeter around the school, also seeking to verify the lawfulness of their actions as members of the OH who had authorised the use of indiscriminate weapons and had failed to ensure that the fire was promptly extinguished. They referred to the information contained in the Federation Council's report (see below), also seeking the questioning of the officials concerned and the victims. On 2 August 2007 this application was partly dismissed by the investigator, who found that the questions raised by the victims were the subject of the pending criminal investigation.

(i) The victims' applications and complaints

225. In the course of the domestic proceedings the victims lodged several hundred applications with the prosecutor's office seeking various procedural steps. They appealed against the results of most of these applications to district courts. Copies of most of the applications and complaints, as well as of the authorities' reactions, have been submitted to the Court or described by the applicants in their submissions.

226. Thus, in July 2006 the victims requested the investigator in charge of the case to find out who had decided against presenting the four men sought by the terrorists for negotiations; to hold confrontations between the civilian and police witnesses, on the one hand, and the army servicemen, on the other, to find out about the use of tanks and flame-throwers during the day of 3 September 2004. On 24 July 2006 the investigator rejected the application and stated that the decision to employ the appropriate weapons had been taken by the OH; witness confrontations were not considered useful by the investigation.

227. In January 2007 the applicants asked the investigator to find out the following: who had decided that the four men demanded by the terrorists should not participate in the talks; who had authorised the use of tanks and flame-throwers during the storming. On 30 January 2007 the investigator in charge granted the application and informed the applicants that they would be kept up to date with the investigation results.

228. In August 2007 the applicants requested the investigation to find out the number of hostages that had been communicated by the OH to the FSB, the Ministry of the Interior and the Russian President on each day of the crisis and to question the relevant officials. On 14 August 2007 this application was granted.

229. In November 2007, referring to the results of the forensic reports and witness statements obtained during the trial of Nurpashi Kulayev (see below), the victims argued that the bodies of 116 persons had been severely burned, rendering it impossible in most cases for the cause of death to be established. However several forensic reports indicated extensive burns as the cause of death. The victims sought to find out who had ordered the delay in the firefighters' intervention in the gymnasium and whether they had been properly equipped upon arrival. On 16 November 2007 the investigator dismissed the application to bring charges against several officials, referring to the pending investigation.

230. Following the victims' request, on 23 November 2007 the investigator appended to the file the records of the trials of the officers of the Pravoberezhny and Malgobekskiy ROVDs.

231. In December 2007 the investigator granted the victims' applications, based on the information obtained during the trial of Nurpashi Kulayev, to question a number of senior officials about the steps taken in August 2004 with the aim of preventing the terrorist act, in order to clarify the extent of local police involvement in the security of Mr Dzasokhov's passage on the morning of 1 September and in order to find out how the OH had come up with the figure of 354 hostages that was aired during the crisis. The investigator also granted the victims' application to question General Tikhonov, the head of the FSB Special Forces Centre, in order to find out the details of the use of indiscriminate weapons upon the school.

232. On 10 May 2007 the Promyshlenny District Court of Vladikavkaz reviewed, upon the applicants' request, about 120 applications lodged by them with the investigator between December 2005 and March 2007, the results of which they found unsatisfactory. The complaints mostly concerned the following points: the applicants' attempts to obtain additional evidence about the exact cause of their relatives' deaths and injuries, information about the reasons for the first three explosions in the gymnasium, the details of involvement of various military and security units in the storming, information about the types and results of examination of the weapons found in school, evidence related to the actions of the OH, information about the actions of firefighters immediately after the first explosions, the extent of the officials' responsibility for the outcome of the crisis and the victims' demands to acquaint themselves with various documents in the file. The applicants' complaint was dismissed in full; the District Court found that the investigators had acted lawfully and within the limits of their professional discretion. The court also noted that the proceedings were still pending. The applicants appealed, but on 13 June 2007 the North Ossetia Supreme Court upheld the decision of 10 May 2007.

233. On 23 October 2007 the Promyshlenny District Court of Vladikavkaz rejected the victims' complaint about the investigators' decisions in response to their seven applications to ascertain the reasons for the first explosions and the origin of the firearms which caused the hostages' deaths and injuries, to find out more about the communications with the terrorists, to identify the person who ordered the deployment of tanks, APCs, flame-throwers and grenade-launchers, and to establish the reason for the carbonisation of 116 bodies. The court also rejected the victims' complaint about alleged inefficiency and delays on the part of the prosecutor's office. On 8 February 2008 the North Ossetia Supreme Court upheld this decision.

234. On 10 January 2008 the Promyshlenny District Court rejected another complaint by the victims in relation to five applications lodged with the investigator. These applications concerned the victims' access to the expert report on the explosions, and ballistics reports and documents relating to the existence of a real threat of a terrorist act prior to 1 September. The District Court, referring to Article 161 part 3 of the Code of Criminal Procedure, concluded that the limitations on the victims' access to the documents had been justified. The remaining actions in the

investigation were also found lawful. This decision was upheld on appeal on 27 February 2008.

235. According to the decision of the Promyshlenny District Court of 13 March 2008, sixty-two victims and their representatives had complained to the General Prosecutor's Office and then to the court about the investigators' decisions to reject twelve applications lodged between December 2007 and January 2008. These applications concerned the following issues: to find out the exact reasons for the victims' deaths where the conclusions of the post mortem reports had been incomplete; to ascertain whether the carbonisation of the bodies had been caused prior to or after death; to seek an explanation for six victims as to why the conclusions about the reasons for their relatives' deaths had been based on external inspection without forensic reports; to establish the causal relationships between the use of flame-throwers, grenade-launchers, tanks and APCs during the storming and the hostages' deaths; to obtain additional questioning of the servicemen of the Malgobek ROVD and of a military unit stationed in the Malgobek District about the prevention of the terrorist act; to clarify the reasons for the appointment of Mr Andreyev as the chief of the OH on 2 September 2004; and to obtain full access to the materials of the case file and copies of the complex expert report (including mathematical computation of the explosions, ballistics and explosion examinations). The victims further alleged that they had received no timely responses to their applications and requests, that the investigation had been protracted and lacked in objectivity and in particular that they had not had access to the most important case documents. The Promyshlenny District Court dismissed all the applications, having found that the victims' demands had been satisfied by the investigation wherever possible, or had not been based on the pertinent legislation. On 23 April 2008 the North Ossetia Supreme Court upheld that decision on the victims' appeal.

236. On 10 December 2008 the Promyshlenny District Court dismissed another complaint lodged by a group of victims against the decisions taken in response to their applications to the investigators. Eleven applications, lodged between February and September 2008, concerned the victims' access to the results of ballistics reports and the records of negotiations with the terrorists, with a request to obtain copies of certain documents in the case file and the decisions ordering expert reports. The victims also alleged that the investigation had been unnecessarily protracted, with important steps being delayed, which in turn could lead to a loss of evidence and make the judicial examination of the matters less effective. They asked for the actions of the investigators to be declared unlawful in so far as they had not conducted an effective investigation, had refused to allow victims access to the case file and had failed to establish the degree of responsibility of the officials. The court found that some documents requested by the victims were secret, while access to others was based on Article 161 part 3 of the Code of Criminal Procedure. The North Ossetia Supreme Court upheld the District Court's decision on 11 February 2009.

237. The victims' subsequent attempts to seek supervisory review of these decisions have proved futile.

10. The criminal investigation in respect of Nurpashi Kulayev

238. The applicants submitted voluminous documents related to the criminal investigation and trial concerning Nurpashi Kulayev, the only terrorist captured alive. In particular, they submitted four volumes of the trial records (about 2,000 pages), copies of the trial court judgment (319 pages) and the cassation court decision, as well as their appeals to the cassation and supervisory courts. The most relevant documents and the applicants' submissions can be summarised as follows.

(a) Investigation and trial before the North Ossetia Supreme Court

239. On 19 January 2005 the criminal investigation in respect of the only surviving terrorist, Nurpashi Kulayev, was separated from criminal case no. 20/849 and assigned number 20/870.

240. On 17 May 2005 the North Ossetia Supreme Court opened the trial of Mr Kulayev. He was charged with aggravated murder, terrorism, taking of hostages, membership of a criminal gang, illegal handling of firearms and attempts on the life of law-enforcement personnel (sections 105, 205, 206, 209, 222 and 317 of the Penal Code). Between May 2005 and February 2006 the trial court held sixty-one sessions.

(b) Statements by Mr Kulayev

241. In the courtroom Mr Kulayev stated that he had joined the group on 31 August 2004. His brother, Khanpash Kulayev, had been a clandestine fighter since the early 1990s, but had lost his arm and lately lived in Psedakh, their home village. On 31 August 2004 a group of armed men arrived in VAZ-2110 and accused his brother of working for the FSB. Both brothers and two of their friends went with the armed men to a camp situated about 300 metres away from the road. Late at night on 31 August 2004 the man in charge of the camp, "*Polkovnik*", told all those present to get into the GAZ-66 truck. There were thirty-two persons, including two women wearing masks. The explosives and arms in backpacks were placed under the benches and the men took seats on the floor of the truck. Responding to the victims' questions, Mr Kulayev stated that he had not seen wooden boxes for cartridges, which had later been found in the school canteen.

242. They spent the night in the valley and early in the morning travelled further. The truck's body had been covered with canvas and they could not see outside. At some point the vehicle stopped and Mr Kulayev heard someone asking for the driver's documents. Then they were told that a policeman had been captured and they travelled further. Later this policeman was released because he was a relative of one of the fighters. The ride lasted around two and a half hours. During the capturing of the school one fighter was fatally injured and "*Polkovnik*" ordered the killing of twenty male hostages. In the school Mr Kulayev was assigned to the canteen. On 1 September there was a dispute among the fighters and "*Polkovnik*" detonated the explosive device on a woman suicide bomber. This explosion fatally wounded the other woman and another fighter of Arab origin. According to Mr Kulayev, many members of the group, including himself and his brother, had been unaware of the nature of their mission, but

“*Polkovnik*” referred to Basayev’s orders and executed those who attempted to object. The terrorists talked in Ingush between themselves and “*Polkovnik*” called someone to receive instructions in Russian.

243. Referring to the conversations among the terrorists, Nurpashi Kulayev said that “*Polkovnik*” had told Mr Aushev that if the four men indicated by them came to the school, they would release 150 hostages for each of them. He also understood that some hostages and fighters would be able to move in buses to Chechnya, if the Russian troops had pulled out of the mountainous districts.

244. Speaking about the first explosions in the gymnasium, Mr Kulayev testified that “*Polkovnik*” had said that a sniper had “killed the man [holding the switch]”, then he cried to someone over the telephone “What have you done!” and broke his mobile telephone; after that he encouraged the terrorists to fight until the bitter end. Mr Kulayev jumped out of the canteen window and shouted to the soldiers that they should not shoot there because there were women and children. He denied that he had used his machine gun and that he had walked into the gymnasium while the hostages were detained there.

245. Two persons convicted earlier for terrorist activities had testified that they had known Khanpash Kulayev, the defendant’s brother, as an active member of the terrorist underground and that in 2003 both brothers and several other members of the armed group, together with their families, had lived in a rented house in Ingushetia (Ganiyev R., volume 4 page 1562 of the trial records, Muzhakhoyeva Z., v. 4 p. 1611).

(c) Reconstruction of the events preceding the hostage-taking and identification of the leaders

246. Some local residents stated in court that they had seen unknown men and suspicious boxes at the school prior to 1 September 2004 (Tomayev V. v. 1 pp. 360-363; Gutnova L. v. 1 p. 458; Levina Z. v. 1 p. 474; Kokova R. v. 3 p. 1243; Rubayev K. v. 3 p. 1305). During August 2004 the school building was partially renovated, but the teachers and director denied that anyone except the school staff and their families had been involved (Guriyeva N., v. 2 p. 542; Ganiyeva Ye. v. 3 p. 1157; Digurova Z. v. 3 p. 1238). Teachers testified that they had inspected the school early in the morning on 1 September and that there was no one there (Tsagolov A. v. 1 p. 265; Avdonina Ye. v. 2, p. 871; Komayeva-Gadzhinova R. v. 2, p. 874; Shcherbinina O. v. 2 p. 931).

247. The police officer who had been seized by the terrorists on the administrative border in the morning of 1 September 2004 testified that he had stopped the GAZ-66 vehicle between 7 a.m. and 8 a.m. The armed men had taken his service pistol, VAZ vehicle and police cap and had driven to Beslan, where he escaped as soon as the shooting started. He denied having known any of the terrorists; he confirmed that the terrorists spoke Ingush between themselves and to him (G. S., v. 4 p. 1546).

248. As to the prevention of the terrorist act, a senior police officer of the Pravoberezhny ROVD testified in court in November 2005 that at about 8 a.m. on 1 September the school had been inspected, possibly with a service dog. He admitted that, unlike previous years, no police had been deployed to the school (Khachirov Ch. v. 3 p. 1215). Mr Aydarov M., the

former head of the Pravoberezhny ROVD was aware that the school had been inspected with service dogs in the morning of 1 September, but no copies of the appropriate records had been provided (v. 3 p. 1410).

249. The trial court noted that criminal proceedings in respect of the organisers of the terrorist act were the subject of a separate criminal investigation (no. 20/849, see above). The court cited statements and documents from investigation file no. 20/849. It identified nineteen terrorists (including Mr Kulayev) and referred to thirteen unidentified persons (including “Abu-Radiy” and “Abu-Farukh”).

(d) Questioning of the hostages and granting of victim status

250. It transpires that between October and December 2004 numerous hostages and the victims’ relatives were questioned and accorded victim status. By the opening of the trial several hundred persons were granted the status of victim in the proceedings. Over 230 victims were questioned during the trial; statements by others given to the investigation were read out.

251. The victims questioned in the courtroom mostly denied having seen Mr Kulayev in the gymnasium, although several hostages had seen him in the gymnasium, in the corridor on 1-3 September and in the canteen during the final stage of the assault. Most of the hostages had not seen Mr Kulayev’s brother Khanpash, who had his right arm missing. Several of them also referred to one particular terrorist: a shaven man with a large scar on his neck, who had been particularly cruel to the hostages and whom they had not identified after the siege was over (witness Mitdziyeva I. v. 2 p. 520). Most hostages saw two women suicide bombers, although some hostages referred to seeing another woman of Slavic appearance on the first floor of the school on 2 September and possibly a fourth one also on 2 September (Mitdziyeva I. v. 2 p. 518; Misikov K. v. 2 p. 571; Scherbinina O. v. 2 p. 935). One woman told the court that on 2 September the terrorist “Abdulla” had asked her if she was Ingush and suggested that they would let her family members go free if she agreed to act as a suicide bomber, since “their two girls had been killed by an ammunition round” fired from the outside (Kudziyeva L. v. 2 p. 525). The hostages estimated the number of terrorists at between 30 and 70 persons.

252. In respect of the taking of the school, many hostages testified that as soon as the fighters had encircled the gathering in the courtyard and started to shoot in the air, another group of fighters had fired from the top of the building. Some witnesses stated that when the shooting started some children tried to escape through Shkolny Lane, but there were fighters there who had forced them to return. Many saw fighters running to the school from the railway line (Kusayeva R. v. 1 p.147; Misikov Yu. v. 1 p. 471; Daurova M. v. 2 p.574). Others said that when they entered the school there were already armed fighters guarding the stairs to the first floor. One boy aged nine at the time testified that on 2 September he and about ten elder boys had been forced to take boxes with grenades and mines from an opening under the stage in the meeting hall (Khudalov S. v. 2 p. 866), but no one else from this group could be identified. One witness testified that when the fighters had broken the floors in the gymnasium on 1 September

they had taken out a long tube which she supposed had been a grenade launcher (Tsakhilova A. v. 2 p. 896).

253. Police officer Fatima D. gave detailed submissions about the hostage taking and subsequent events. According to her, the second police officer had not arrived at the school. At about 8.50 a.m. one mother told her that a strange truck had been parked near the school. When she went out to check, she heard a suspicious noise. She ran to the teachers' room on the first floor to alert the police but as soon as she took the telephone, she was surrounded by several fighters wearing camouflage uniforms. They told her that "everything would be serious this time" and led her to the gymnasium. She estimated that there were about seventy fighters (v. 1 p. 365).

254. On 1 September, under the terrorists' orders, the teachers drew up lists of children aged below seven, although these lists were never used (Levina Z. v. 1 p. 475; Shcherbinina O. v. 2 p. 937). Numerous hostages told the court that the terrorists had been extremely annoyed by the information about the number of persons being held in the school and that their attitude had become harsher after the figure of 354 persons had been announced. They testified that the terrorists had refused to allow them to drink or to go to the toilet since "nobody needed them anyway and there would be only 350 of them left" (Kokayeva I. v. 1 p. 413; Kaloyeva F. v. 1 p. 448; Pukhayeva Z. v. 1 p. 461; Daurova Z. v. 1 p. 481). The hostages complained about mocking, insults and ill-treatment, related how the terrorists had hit the elderly and children, subjected them to false executions, held parents and grandparents at gunpoint in the children's view, and had fired into the air in order to keep them quiet.

255. The hostages saw the terrorists' attitude deteriorating further on 2 September after Mr Aushev had left the school. Several of them said that on 2 and 3 September the terrorists attempted in vain to liaise with the authorities through those who had relatives among officials or public figures.

256. The school director Mrs Tsalitova was a hostage, together with her family members. She stated that she had inspected the school in the morning of 1 September; she denied allegations that anyone except staff and their relatives had been involved in the renovation. Mrs Tsalitova was called by the fighters to negotiate; she testified that they had been annoyed by the absence of contact with the authorities. On 3 September she attempted to involve the children of Taymuraz Mamsurov and a prosecutor's mother in the negotiations, but to no avail (Tsalitova L., v. 1 p. 432).

257. Many hostages testified about the explosions in the gymnasium. They said that prior to the explosions the fighters had behaved in a relaxed manner and were preparing lunch. Others mentioned some agitation probably caused by electricity failure in the gymnasium. Some hostages testified that they had seen the explosion of an IED fixed to the basketball hoop (Dzarasov K. v. 1 p. 213; Archinov B. v. 1 p. 274). Others insisted that when they had been leaving the gymnasium they could still see the large IEDs intact on the basketball hoops (Sidakova Z. v. 1 p. 315) or that only the third explosion had come from that IED (Bekuzariva I. v. 2 p. 962). Some described the first blast as a "fireball" (Dzestelova A. v. 2 p. 538). Many testified about the fire and heat emanating from the explosions, enflaming their clothes and hair and causing burns (Agayeva Z. v. 2 p. 600;

Dzheriyeva S. v. 2 p. 614; Kochiyeva F. v. 2 p. 631; Tsgoyev A. v. 2 p. 748; Bugulova F. v. 2 p. 764; Makiyev V., v. 2 p. 826; Khanikayev Sh. v. 2 p. 831; Kokova T., v. 2 p. 884). Many testified that the fire could have killed injured and shell-shocked persons who were unable to leave the gymnasium on their own (Tomayeva L. v. 1 p. 357; Gagiyeva I. v. 1 p. 444; Kudziyeva L. v. 2 p. 526; Fidarova S., v. 2 p. 584; Skayeva T. v. 3 p. 1001; Mitdzyeva Z., v. 3 p. 1043; Alikova F. v. 4 p. 1577). Some hostages described how they had been saved by local men from the gymnasium and adjacent premises after the explosions (Gagiyeva I. v. 1 p. 444). Numerous witnesses also gave evidence that when the hostages started to run from the gymnasium through the opening in the wall they had been shot at from the first floor of the school, and many women and children were wounded.

258. Those hostages who had been taken by the fighters to the canteen and the meeting room testified about the fierce fighting which had taken place there. They stated that the fighters had tried to force the hostages – women and children – to stand in the windows and to wave their clothes, and some had been killed by shots fired from the outside and by powerful explosions (Kusayeva R., v. 1 p. 152; Sidakova Z., v. 1 p. 313; Urmanov S. v. 1 p. 426; Daurova Z., v. 1 p. 483; Badoyeva N. v. 2 p. 823; Makiyev V. v. 2 p. 826; Svetlova T. v. 2 p. 956; Katuyeva V. v. 2 p. 971).

259. Many also stated that they had not been satisfied with the results of the criminal investigation and that they did not intend to seek damages from the accused, since they considered that the State officials had borne responsibility for the deaths and injuries.

(e) Testimony of the Pravoberezhny ROVD police officers

260. Mr Aydarov M., former head of the Pravoberezhny ROVD, was questioned in court (v. 3 pp. 1394-1414) while under investigation in criminal case no. 20/852 for criminal negligence (see below). He explained that he had only been appointed in mid-August 2004. The administrative border with Ingushetia in the district was 57 kilometres long and was mostly unguarded. Many small roads through the fields were formally closed and rendered impassable in view of the heightened terrorist threat; however this did not suit the locals, who very often removed the barriers. In August 2004 some information had been reported about a gathering of armed groups in the Psedakh district in Ingushetia and a number of steps had been taken on both sides of the administrative border, but at the time these measures had produced no known results.

261. He also explained that out of 53 officers of the ROVD who were present on 1 September over 40 were women. It was difficult to maintain the staff on alert for long time. As soon as the shooting was heard from the school, at about 9.15 a.m. on 1 September, he ordered his staff to maintain security around the building. Two servicemen of the ROVD had witnessed the hostage-taking and exchanged fire with the terrorists.

262. Mr Murtazov T., deputy head of the Pravoberezhny ROVD, at the time of questioning was also under investigation for criminal negligence. Mr Murtazov gave detailed submissions about the use of “Shmel” flame-throwers upon the school from three snipers’ positions situated on the roofs of a technical building in Lermontova Street, a five-storey housing block on the corner of Shkolnaya and Batagova Streets and the gatekeeper’s

house (v. 3 p. 1418). He did not know where the snipers came from. He witnessed the tank shooting at the school and the use of grenade-launchers by the military; these events occurred between 2 p.m. and 4 p.m. The officer remarked that not a single bullet had been extracted from the bodies of the deceased hostages which could have led to the identification of the servicemen of the Ministry of the Interior (v. 3 p. 1424).

263. Mr Dryayev, another senior ROVD officer, testified that immediately after the first explosions on 3 September he had seen soldiers [of the army or Internal Troops] firing with automatic weapons upon the school in response to enemy fire. Soon after 3 p.m. the witness saw the tank stationed in Kominterna Street firing about ten shots at the school corner from a distance of about 30 metres. These shots, possibly carried out without explosive heads, damaged the wall and the roof (v. 3 p. 1428).

264. Police officers of the Pravoberezhny ROVD testified that by the evening of 1 September they had carried out a house-to-house inspection of the district and had a list of 900 hostages' names which they had submitted to the officer on duty of the ROVD (Khachirov Ch. v. 3 p. 1212; Friyev S. v. 3 p. 1217).

265. The policemen also explained that two men had been beaten by the crowd on 2 September and detained at the ROVD on suspicion of aiding the terrorists. They turned out to be civilians from a nearby town; both men had been identified and testified in court about this incident.

(f) Statements by civilians and police officers who participated in the rescue operation

266. The court questioned several civilians who had helped to evacuate hostages from the gymnasium. Mr Dudiyeu testified that he had entered the gymnasium after the first explosions, together with the special forces units, searching for his wife and three children. Mr Dudiyeu brought out his wounded wife and the body of his daughter, while his brother evacuated his injured son; his eldest child had been killed (Dudiyeu A. v. 1 p. 251). Other witnesses, both civilian and police, told the court that they had entered the burning gymnasium several times, taking out injured women and children before the roof had collapsed (Adayev E., v. 2 p. 659, Totoonti I., v. 4 p. 1595). One policeman witnessed the fire spreading very quickly on the roof of the school, while the firemen failed to intervene (Badoyev R. v. 3 p. 1295).

267. Some witnesses saw the tanks shooting at the school soon after the explosions (Khosonov Z. v. 3 p. 1110); one man was injured by an explosion while taking a child out of the gymnasium (Gasiyev T. v. 2 p. 676). Witness E. Tetov explained that he had served in the army as a tank crew member and was well acquainted with the tanks and the ammunition used by it. Shortly after 1 p.m. on 3 September he had counted between nine and eleven shots without explosive heads fired from a tank gun. He was also of the opinion that the first explosions and the fire had been started from the outside, either from a flame-thrower or a tracer bullet (v. 2 pp. 729-730). One civilian witness stated that he had served in the army as a grenade launcher operator and that he had identified at least two shots fired from grenade- or flamethrowers between the second and third major explosions in the gymnasium (Totoonti I., v. 4 p. 1603).

268. Several police officers testified that the storming of the building had started unexpectedly and that this explained the casualties. Some of them did not have time to don the protective gear and rushed to the school as soon as they had heard the shooting. Some servicemen described the situation after the first explosions as “chaotic”, when various forces shot at the school building using automatic weapons and other arms (Khosonov Z., v. 3 p. 1109). They referred to the terrorists’ high level of training and preparedness, which allowed them to mount resistance in the face of the elite Russian units (Akulov O., v. 1 p. 492).

269. An officer of the Pravoberezhny ROVD testified that while he was ensuring the security cordon around the school, on 3 September at about 9 a.m. he saw two full carloads of portable grenade launchers (RPG) and flame-throwers (RPO “Shmel”) delivered by servicemen of the Ministry of the Interior driving a white Gazel vehicle. He estimated that at least twenty flame-throwers had been unloaded and taken to the snipers’ positions, located about 200 metres from the school. The snipers and the forces of the Ministry of the Interior used these flame-throwers soon after the explosions at the school, responding to enemy fire from grenade-launchers and machine guns (Khachirov Ch. v. 3 p. 1212). Up to ten shots from flame-throwers were counted by another policeman at around 2 p.m. in the direction of the gymnasium roof (R. Bidzheov, v. 3 p. 1222). Other policemen testified that between 3 p.m. and 5 p.m. they had seen a tank firing at the school (Friyev S. v. 3 p. 1218; Khadikov A. v. 3 p. 1224; Khayev A. v. 3 p. 1227; Karayev A. v. 3 p. 1231;) and that shots were fired from grenade-launchers (Karayev A. v. 3 p. 1231; Aydarov M. v. 3 p. 1400).

(g) Statements by local residents

270. The hostage-taking and subsequent events were witnessed by numerous local residents; some of them were questioned in the courtroom. Several passengers of vehicles who had found themselves in the morning on 1 September in the street in front of the school had seen the GAZ-66 truck arriving in the school yard and some of them said that they had seen three or four women jumping off the vehicle. Mr K. Torchinov had been a teacher at school no. 1 and a former investigator of the prosecutor’s office; he lived in the house opposite the school and watched the ceremony from his window, from a distance of about 200 metres. He gave detailed explanations about the hostage-taking. In particular, he had counted the men who jumped out of the GAZ-66 vehicle and said that there had been twenty-seven, he also saw two other fighters in the school yard and between seven and eight who had run from the railway lines; at the same time there were shots fired from the roof and the first floor of the school; he thus estimated the number of fighters at no less than forty or forty-five persons. Mr Torchinov also stated that on 1-3 September there were no soldiers or police lined up along the backyard of the school and that it was possible to walk there to and from his house (v. 2 pp. 847-859).

271. Numerous local residents whose relatives were held in the school stated that they had been appalled by the announcement of the number of hostages. They said that the school had about 900 students – lists could have been obtained in the local department of education – and that numerous

parents and relatives had also been captured. Officials from the local department of education testified that in the morning of 1 September the number of students (830) had been transmitted to the administration, with an indication that many relatives could be present at the ceremony (Dzukkayeva B. v. 3 p. 1334; Burgalova Z. v. 3 p. 1349). Moreover, on 1 September volunteers and police drew up lists of hostages which counted over 1000 persons. In view of this they could not explain how the officials had arrived at the figure of 350 persons (Khosonov Z. v. 3 p. 1107).

272. Many local residents testified that they had seen or heard the tank shooting at the school after the explosions (Duarov O. v. 3 p. 1083; Pliyev V. v. 3 p. 1085; Dzutsev Yu. v. 3 p. 1121; Gagiyev E. v. 3 p. 1300; Malikiyev A. v. 3 p. 1308; Savkuyev T. v. 3 p. 135; Ilyin B. v. 1 p. 1453). Mrs Kesayeva E. remained outside the school, where four members of her family had been held hostage. She testified that a tank positioned in Kominterna Street had fired several rounds between 1 p.m. and 4 p.m. (v. 1 p. 325). One local resident saw a tank enter a courtyard in Pervomayskaya Street and heard it shooting at the school before 3 p.m. on 3 September. The witness was about 50 metres away from the tank (Khabayeva A. v. 3 p. 1289). All those witnesses described the tank cannon shots as being particularly strong and clearly identifiable despite the overwhelming noise of fierce fighting.

273. Several residents testified about the firemen's actions. They alleged, in particular, that the firemen had lost time before intervening in the gymnasium and that once the fire engines had arrived, they were of little use since the water in the cisterns was quickly exhausted; moreover the water hoses had been weak and could not reach the gymnasium from where the machines were stationed. Some witnesses deplored the lack of preparedness by the firemen who had failed to find out beforehand where to find water locally around the school rather than bringing it in cisterns (Tetov E. v. 2 p. 729; Katsanov M. v. 2 p. 802). Other witnesses told the court that they had seen a fire engine stuck in the courtyard and trying to find water for the cistern (Pliyev V. v. 3 p. 1086).

(h) Statements by the servicemen of the army, FSB and Internal Troops

274. Colonel Bocharov, brigade commander of the Internal Troops deployed in Beslan on 1-4 September, testified in November 2005 that servicemen under his command had ensured the security cordon. Their task was to prevent the terrorists from breaking through. Four APCs from his brigade had been transferred to the FSB forces on 2 September (v. 3 p. 1209).

275. Officers of the 58th army testified that their task had been to ensure the "third ring" of security around the school. One officer explained that General Sobolev, the commander of the 58th army, had instructed him to follow the orders of the FSB officers. Each army vehicle deployed in Beslan had been completed by an officer of the FSB who had given orders and coordinated the crews' actions (Isakov A. v. 3 p. 1260; Zhogin V. v. 3 p. 1265). They denied having heard or seen grenade-launchers, flame-throwers or tanks being used prior to late in the evening on 3 September. The tank unit commander stated that between 8.56 p.m. and 9.30 p.m. one tank had fired seven high-fragmentation shells at the school

(the seventh shell had failed to explode), following orders of the FSB officer in charge. No shots had been fired from the tank guns before or after that (Kindeyev V. v. 3 p. 1277).

276. One officer, a sapper, testified that he had entered the gymnasium at around 2.40 p.m. and deactivated one IED attached to the basketball hoop. Most IEDs had not exploded and were deactivated on the following day. This officer testified that he had entered the gymnasium in a group of seven servicemen and fifteen or twenty civilians who had evacuated the hostages for about one hour. Initially there was no fire there, but the premises were under attack from the northern wing of the school. Soon afterwards he noted fire starting in the roof, above the entrance to the gymnasium from the side of the weights room (Gagloyev A. v. 4 pp. 1715, 1733).

277. Mr Z., a professional negotiator from the North Ossetian FSB, was called to Beslan at 9.30 a.m. on 1 September. He had a meeting with Mr Andreyev and then informed him of the talks and received instructions from him. He was placed in a separate room, with a psychologist, and maintained telephone contact with the terrorists with an interval of 30-35 minutes. His efforts to establish psychological contact with his interlocutor who called himself "*Shahid*" were unsuccessful and he failed to obtain any concessions aimed at alleviating the hostages' situation. The conversations were conducted in a rude manner; the gangsters insulted him and Mr Roshal. The terrorists repeatedly said that they would talk to the four men enumerated by them and did not present any other demands. They did not specify the number of hostages they were holding, saying only that they had "enough"; they spoke of about twenty people shot dead on the first day and said that they had three days to wait for the authorities to bring the four men together. When asked if Mr Dzasokhov could come alone, the terrorists refused. The first telephone conversation took place on 1 September at about 4 p.m., the last one – after 1 p.m. on 3 September immediately following the first explosion. The witness recalled saying "What have you done?!" and "*Shahid*" responded "We have fulfilled our duty". Responding to the victims' questions, Mr Z. admitted that the negotiations involving Mr Aushev and Mr Gutseriyev had been carried out independently of him and that he had only been informed of these developments after they had occurred (v. 4 pp. 1819 -1843).

278. The head of the FSB department in Beslan at the relevant time stated in court in January 2006 that he had not been aware of the information and telexes sent by the Ministry of the Interior in August 2004 about the heightened terrorist threat during the Day of Knowledge. The FSB had not been involved in the protection of the administrative border, but their services cooperated with the Ministry of the Interior in examining the area around the border (Gaydenko O. v. 4 pp. 1847-1854). He did not have any information about the possible fleeing of terrorists from the school after the storming had started.

279. The former head of the FSB department in Ingushetia, Mr Karyakov, confirmed that there was sufficiently precise information about the activities of terrorist groups in Ingushetia in the summer of 2004, a number of successful special operations had been carried out, but there was no information about the armed group in the Malgobekskiy district. The

witness testified that he had arrived in Beslan in the morning of 1 September and remained there for three days, working in close cooperation with Mr Andreyev. He was not certain if he had been a member of the OH, but was fully aware of its work. In the morning of 1 September Mr Karyakov called Ingushetia's President Mr Zyazikov and informed him about the terrorist act; at that time no demand to involve Mr Zyazikov in the negotiations had been made. Later on he could not reach Mr Zyazikov since his mobile telephone had been switched off. By questioning the escaped hostages they tried to identify terrorists from Ingushetia and to involve their relatives in the negotiations. Thus, they brought the wife and children of a presumed terrorist, but her appeal had had no effect. The witness was not aware of the note taken out by Mr Aushev (v. 4 pp. 1841-1890).

280. Most of the army and Internal Troops servicemen had failed to testify in the courtroom; their statements collected during the investigation were read out.

(i) Statements by members of the OH and other senior officials

(i) Mr Tsyban

281. On 15 November 2005 the court questioned Lieutenant-Colonel Tsyban (v. 3 pp. 1192-1203), who at the relevant time had headed the operative direction group at the Ministry of the Interior of North Ossetia (*начальник группы оперативного управления по РСО при МВД РФ*). The group was created on 11 August 2004 by an order of the Minister of the Interior with the mission to prevent terrorist acts, plan and carry out special operations, and control and direct resources allocated for counter-terrorism activities. When asked about the meetings, functions and actions of this commission prior to 1 September 2004, Mr Tsyban could not recall any details.

282. Mr Tsyban learnt of the hostage-taking at 9.30 a.m. on 1 September and went to Beslan. There, by late morning, he had organised the security perimeter around the school. As of noon on 1 September he reported to the deputy chief of the Internal Troops of the Ministry of the Interior, General Vnukov. Although he was a member of the OH, he stated that his participation had been limited to ensuring the second security perimeter. He was not aware of the number of hostages, the nature of the terrorists' demands or the negotiation attempts. He had not taken part in any meetings or discussions of the OH. As to the rescue operation, Mr Tsyban stated that the servicemen of the Internal Troops had not used weapons, had not approached the school and had not taken part in the rescue operation. He was not present at the school on 3 September. He refused to answer the question whether any terrorists could have permeated the security perimeter.

(ii) Mr Sobolev

283. General Sobolev, the commander of the 58th army of the Ministry of Defence, was questioned in November 2005 (v. 3 pp. 1316-1330). Mr Sobolev was a member of the OH as the most senior officer from the Ministry of Defence. He described the OH's principal strategy as negotiation with the hostage takers. However, these attempts were futile because the terrorists had been prepared to talk only if the four persons

designated by them arrived. Mr Roshal attempted to contact the terrorists, but they refused to talk to him; Mr Dzasokhov had been prevented by the OH from going to the school; no contact had been established with Mr Zyazikov. The danger to the lives of the four men had been too high in the absence of any good will shown by the terrorists. In General Sobolev's view, no negotiations were possible under the circumstances; the storming of the school should have taken place immediately, before the IEDs had been assembled. He believed that the terrorists had been supported and funded by foreign services, including the Central Intelligence Agency (of the United States). His task had been mostly limited to ensuring the security perimeter around the school and to providing the necessary equipment; he was not aware of the number of hostages, negotiation strategies or the rest of the plan drawn up by the OH.

284. He enumerated the forces and equipment brought in by the army. Eight APCs and three tanks had been transferred under the FSB command to be used as cover in case of storming. A group of sappers demined the gymnasium in the afternoon of 3 September; they found four mines and ten smaller IEDs connected by a "double chain" which allowed them to be activated all at once or one by one. Three IEDs had exploded prior to demining; in one of them only the detonator had exploded without causing any harm.

285. Turning to the storming, General Sobolev explained that it had started unexpectedly. Officers of the FSB's *Alpha* group had been training in Vladikavkaz and had to be brought in urgently; many of them had no time to prepare. This had led to extremely high casualties: one third of the elite troops storming the building had been injured or killed. General Sobolev was not aware of the use of flame-throwers or grenade-launchers. The tank cannon fired seven shots after 9 p.m. He was of the opinion that the army has successfully concluded its mission.

(iii) *Mr Dzantiyev*

286. Mr Dzantiyev testified in November 2005 that at the relevant time he had been the North Ossetian Minister of the Interior. He arrived in Beslan at about 10 a.m. on 1 September and followed Mr Dzasokhov's orders. As of 3 p.m. on 1 September Mr Andreyev, the head of the North Ossetian FSB, had taken over the command of the operation. The witness' primary task was to ensure security around the school and to evacuate civilians from the area. The victims referred to the decree of the Chairman of the Russian Government of 2 September 2004 by which Mr Dzantuyev had been appointed deputy head of the OH; however the witness insisted that he had not been informed of this, had not assumed such responsibilities and had been excluded from the OH meetings. Mr Dzantiyev received orders from the Russian Minister of the Interior and his deputy Mr Pankov who had arrived in Beslan; on two occasions the deputy head of the FSB Mr Anisimov had asked him to check the situation in two villages. Mr Dzantiyev had been aware by the evening of 1 September, from the lists drawn up by the local police, that the number of hostages had been no less than 700 persons. He did not know where the figure of 354 had come from. The Minister had no information about the use of heavy weapons during the storming except that after 3 September a number of empty tubes from

“Shmel” flame-throwers had been found on the nearby roofs (v. 3 pp. 1371-1394).

(iv) Mr Dzugayev

287. In November 2005 the court questioned Mr Dzugayev (v. 3 pp. 1430-1445). At the relevant time Mr Dzugayev had been the head of the information and analytical department of the North Ossetian President’s Administration. He testified that he had arrived in Beslan on 1 September 2004 at about 10 a.m. He was instructed by Mr Dzasokhov and Mr Andreyev to liaise with the press. He was not aware of the OH’s work, composition and strategy. Mr Dzugayev was asked a number of questions about the figure of 354 hostages which he had consistently announced to the press on 1 -3 September. He explained that he had been so informed by Mr Andreyev, who had referred to the absence of exact lists. He had always underlined the preliminary nature of this information.

(v) Mr Andreyev

288. Mr Andreyev, who at the relevant time was the head of the North Ossetian FSB and head of the OH, was questioned in court in December 2005 (v. 3-4, pp. 1487-1523). He gave a detailed account of his actions and of the work of the OH during the crisis. According to him, no formal leadership over the operation had been assumed prior to 2 p.m. on 2 September, but informally all the responsible persons – members of the operative directions group – had carried out their tasks under the guidance of Mr Dzasokhov and his own. According to Mr Andreyev, as of 2 September the OH included seven officials: himself as the head, Mr Tsyban as his deputy, Mr Dzgoyev, Mr Goncharov, Mrs Levitskaya, the Minister of Education of North Ossetia, and Mr Vasilyev from the State TV.

289. Mr Pronichev, deputy director of the FSB, had assisted the OH in a personal capacity but had assumed no formal role. Mr Andreyev referred to the Suppression of Terrorism Act, which stipulated the plan of action in case the hostage-takers had put forward political demands. The same law excluded political questions from the possible subjects of negotiations. He believed that the terrorists’ primary aim had been to achieve a resumption of the Ossetian-Ingush ethnic conflict, of which there existed a real threat. From the first hours of the crisis, work had been carried out in close cooperation with the head of the FSB department in Ingushetia.

290. Mr Andreyev enumerated the authorities’ unsuccessful attempts to negotiate with the terrorists: their mobile telephone had initially been switched off, and the school telephone was disconnected. The terrorists often interrupted the contacts and said that they would call back. The OH involved a professional negotiator, who was a staff member of the FSB. The terrorists had behaved in an aggressive and hostile manner and refused to discuss any proposals unless the four men indicated by them arrived in Beslan. Mr Andreyev insisted that Mr Zyazikov, Ingushetia’s President, could not be found, while the three other men had been in contact with the OH (Mr Aslakahnov talked to the terrorists over the telephone and arrived in Beslan in the afternoon of 3 September). The OH had invited two influential persons of Ingush origin – Mr Aushev and Mr Gutseriyev – to take part in the negotiations. The terrorists had been inflexible and refused

to consider any proposals aimed at aiding the hostages or the possibility of ransom and exit. No written demands had been issued and a number of political demands had been made orally through Mr Aushev. Responding to the questions about the number of hostages, Mr Andreyev insisted that no exact lists beyond the 354 names had existed and the OH did not want to air unreliable information. Responding to the victims' questions he reiterated that the terrorists in the course of the negotiations had not referred to the number of hostages and that in his opinion they were not particularly interested in the figure announced. The witness testified that in the evening of 2 September Mr Gutseryev had talked to Mr Zakayev in London and the latter had promised to establish contact with Mr Maskhadov. However, no direct line of communication with Maskhadov had been established.

291. The OH's strategy had been to negotiate, and no plan consisting of resolving the situation by force had been considered. Mr Andreyev explained that the involvement of the special forces had been foreseen only in case of massive killing of the hostages.

292. Turning to the special forces of the FSB, Mr Andreyev clarified that the FSB Special Services Centre (*ЦСХ ФСБ России*) under the command of General Tikhonov had their own temporary headquarters, located on the third floor of the Beslan administration building on the premises of the local department of the FSB. Questions concerning the types and use of special weapons, such as flame-throwers, lay within the competence of that Centre. Mr Andreyev issued an order to start the operation aimed at liberating the hostages and at neutralising the terrorists as soon as the latter had started to shoot at hostages escaping from the gymnasium. He conceded that at the beginning of the operation there had been shots fired by other servicemen and the FSB forces were in danger of friendly fire. He insisted that the tanks and flame-throwers had been used only after 9 p.m. on 3 September when there were no hostages still alive left in the school. Mr Andreyev stated that two terrorists had been captured alive, but one of them had been lynched by the locals.

293. During the questioning, the victims openly accused Mr Andreyev of incompetence, concealing the truth and of bearing responsibility for the fatalities. They were called to order by the presiding judge.

(vi) Mr Dzugoyev

294. The court heard the statement by the Ossetian Emercom Minister Mr Dzugoyev (v. 4 pp. 1523-1544). He explained that he had been informed that he was a member of the OH in the evening of 2 September; however both before and after that time he had functioned semi-autonomously. He had estimated the number of hostages at around 800 persons and on 2 September Mr Aushev informed him personally that there were over 1000; this information was sufficient to provide for the rescue operation.

295. Mr Dzugoyev answered numerous questions about the extinguishing of the fire in the gymnasium. He stated that the information about a fire at the school (but not in the gymnasium) had been noted by their service at 1.05 p.m. on 3 September. The message that the roof of the gymnasium was starting to collapse had been noted at 2.40 p.m. General Tikhonov, the commander of the Special Services Centre, authorised the firemen to move in at 3.10 p.m. and at 3.20 p.m. they arrived at the scene. Mr Dzugoyev was

told that by that time there were no hostages still alive in the gymnasium; this information was later confirmed by the forensic reports. Five fire brigades had been involved. By 4 p.m. the fire had been contained. Later the fire brigades had been ordered by the FSB to leave the gymnasium. Then they entered again and left the building at 6 p.m.

296. Mr Dzugayev explained that another fire vehicle had been brought in by a relative of a hostage from the nearby factory; it had been seen by many witnesses but was not an Emercom car. He also insisted that the vehicles and cisterns had been fully prepared, that hoses had been laid from the nearest water hydrants and that the fire equipment had been sufficient.

297. At 7 a.m. on 4 September the Emercom teams started the clearance operation. They worked in parallel with the staff of the FSB, army sappers and the prosecutor's office. They collected the remains of 323 hostages, of which 112 had been found in the gymnasium and adjacent premises. 31 terrorists' bodies were also found. During the day the Emercom staff cleared the debris with the use of cranes, bulldozers and excavators; the debris was first shifted manually to collect human remains and other relevant items. Only after sifting was the rubble loaded onto the trucks supplied by the local administration. Mr Dzugayev had personally inspected the destroyed wing of the school, where two floors had collapsed onto the cellar. He saw the terrorists' bodies but no hostages' remains. Emercom had finished the clearance work by 7 p.m. on 4 September, after which the building was rendered to the local administration.

(vii) Mr Dzasokhov

298. Mr Dzasokhov was questioned on 27 December 2005 (v. 4 pp. 1562-1690). Then President of North Ossetia, he stated that at about noon on 1 September Mr Andreyev had received an oral instruction from the FSB, with reference to the Russian Government, to head the OH. Mr Dzasokhov was not a member of the OH, which he considered had been a mistake. However he did whatever he thought was right and within his powers. Mr Dzasokhov was prepared to go and negotiate with the terrorists, but he had been told that he would be placed under arrest if he did so. Nor did he talk to the terrorists over the telephone, since this was done by a professional negotiator. He participated in the meeting with the relatives at the Cultural Centre on 1 and 2 September. He also had several talks with the head of the FSB Special Services Centre General Tikhonov, who shared his concerns about the use of force.

299. Mr Dzasokhov believed that too much operative information of low quality had been sent around prior to the terrorist act, which made it difficult to react. In particular, there was insufficient clarity about the terrorists' plans in the summer of 2004, although the heightened security threat was evident.

300. Turning to the negotiations, Mr Dzasokhov testified that he had seen the handwritten note allegedly signed by Mr Basayev which Mr Aushev had taken out of the school. Mr Dzasokhov also explained that on 2 September he had talked to Mr Zakayev in London. At 12 noon on 3 September Mr Zakayev confirmed that the request to take part in the negotiations had been transmitted to Mr Maskhadov. Mr Dzasokhov had informed the OH accordingly.

(viii) Other officials

301. A former member of the counter-terrorism commission of North Ossetia and secretary of its security council testified that the OH appointed on 2 September had excluded from its meetings all other persons. He had had no access to the OH, and Mr Dzasokhov and Mr Mamsurov had only been invited on two occasions to its meetings (Ogoyev U. v. 3 p. 1362). Mr Ogoyev could not recall the work of the counter-terrorism commission of North Ossetia created on 23 August 2004 and of which he had been a member.

302. Mrs Levitskaya had been the Minister of Education of North Ossetia at the relevant time. She had arrived in Beslan on 1, 2 and 3 September, was present at the town administration and had a number of discussions with Mr Dzaskohov and several other Ossetian officials. She had not participated in any OH sessions or other meetings. She learnt that she had been a member of the OH on 10 September 2004 during a meeting of the North Ossetian Parliament (v. 4 p. 1696). She was informed on 1 September by the local department of education about the number of pupils at the school; she was also told that this information had already been transferred to the district authorities.

303. The North Ossetian Deputy Minister of the Interior admitted that their resources had been insufficient to monitor the border-crossing points with Ingushetia. He was also aware of the attempts to block small roads in the Pravoberezhny district and the problems that had been encountered in August 2004 – lack of staff, sabotage by the locals and absence of funds to pay for the works (Popov V., v. 4 p. 1807).

(j) Questioning of doctors

304. The director of the All-Russia Centre of Disaster Medicine at the Ministry of Public Health *Zashchita* Mr Goncharov (v. 3 pp. 1166-1178) testified that on 2 September he had been told that about 300 persons were being held hostage and that the medical assistance had been planned accordingly. Only after he had met with Mr Aushev on 2 September had he realised that the number of hostages was actually much higher. On the same day, in the evening, he set up emergency paediatric brigades, assembled ambulances from the region, carried out training and prepared for the arrival of patients. They mostly expected victims of injuries; the probability of gas poison was considered low. Mr Goncharov testified that though he was a member of the OH as an official of the Ministry of Public Health, he had not taken part in any meetings or discussions. He did not receive any information from the OH, as, in his view, the number of hostages was the only relevant factor and that was communicated to him personally by Mr Aushev. His own experience and available resources had been sufficient. Being highly experienced in providing emergency treatment to large number of victims, his work had been relatively independent from the rest of the OH. Besides, his previous experience had shown that the “power structures” would not share their plans with the medics, out of a need to keep such considerations secret.

305. Turning to the organisation of medical assistance, Mr Goncharov explained that by the morning of 3 September they had on standby in Beslan about 500 persons, including 183 doctors, over 70 ambulances, one field

paediatric hospital and several reanimation units. “Carriers” with stretchers were grouped about 700 metres from the school, with ambulances and sanitary vehicles placed in several spots around the building. The idea was to bring the injured to the Beslan hospital where the sorting would take place, urgent operations and life-saving measures would be carried out in the field paediatric hospital and, for adults, in the Beslan hospital and then those who could be transported to Vladikavkaz would be taken there (about 20 kilometres).

306. Immediately after the explosions on 3 September at 1 p.m. Mr Goncharov received a call from the OH to bring in the medical rescue team. For four hours on 1 September the sorting centre at the Beslan hospital treated 546 patients and carried out 76 urgent surgeries. Five persons were brought to the hospital in agony and died within a few hours; 14 other patients died within 24 hours. 199 adults were evacuated to other hospitals after urgent medical assistance; 55 children were in life-threatening condition and had to be treated on the spot, 7 children had emergency surgery. On the night of 3 to 4 September six children in critical condition were taken to Moscow in a specialised plane. Mr Goncharov mentioned difficulties in maintaining the necessary security around the school, and later around the hospital, in order to avoid disruption of services by the relatives.

307. Mr Soplevenko, then North Ossetian Minister of Public Health was questioned in court on 15 November 2005 (v. 3 pp. 1179 – 1191). He also testified that on 1-3 September he had not received any particular instructions, except rather general indications by Mr Dzasokhov that “adequate medical aid” should be provided. He had not been part of the OH or any other body during the crisis. He learnt that more than 1,000 persons were being held in the school from the nursing mothers who had walked out with Mr Aushev on 2 September. In cooperation with Mr Goncharov he prepared the hospitals in Vladikavkaz to admit patients: beds were freed at five hospitals, surgery and reanimation brigades were put on standby, stocks of medical and dressing material were set aside.

308. Dr Roshal, director of the Moscow institute of emergency paediatric surgery, was questioned in February 2006. He stated that he had been informed by journalists on 1 September about the hostage-taking and immediately went to Beslan. There he was taken to the town administration where the OH and other officials were stationed. He was taken to the room with Mr Z. and received brief instructions from him. On several occasions he called the terrorists; each time they reacted in a hostile manner and refused to discuss anything unless all four men demanded by them arrived. His attempts to convince them to accept water, food, medicines or to allow him to examine and treat the wounded and sick were flatly rejected, moreover, the terrorists said that all hostages had declared a “dry hunger strike” in support of their demands. On 2 September at about 11 a.m. the terrorists called him and let him talk to the school director, who pleaded with him to intervene since their situation was dire. On 2 September Dr Roshal personally telephoned Mr Zakayev in London and let Mr Dzasokhov talk to him (v. 4 pp. 1900 – 1925).

(k) Information about forensic reports

309. In December 2005 the court, upon the victims' application, questioned a senior expert of the State forensic centre in Rostov-on-Don, who on 13 September 2004 had been appointed the chief of the group in charge of identification of the remains by DNA tests. The expert explained that their centre was the best equipped in Russia and that the delay in genetic tests was between three days and five weeks, depending on the quality of the material under examination. All work in the Beslan cases had been completed within a month and a half. Mr Korniyenko stated that the results obtained through genetic pairing had been final and allowed no disputes about possible misidentification. He admitted that many relatives had refused to believe in the deaths of their loved ones and that on some occasions they had carried out second rounds of tests with other relatives' genetic material, primarily out of respect for the relatives' doubts. The expert cited difficulties in the identification of the remains which had been burnt "to the ashes" and in the identification of body fragments which had lasted until summer 2005. The same expert group had worked with the terrorists' remains: twenty-three had been identified, while eight remained unidentified (v. 3 p. 1469).

310. Hundreds of forensic reports on the victims had been examined by the court. They included examinations of bodies, results of identification of the remains through DNA tests, conclusions of experts on the level of damage to the health of the surviving hostages and other documents. Over 110 forensic reports concluded that the cause of death could not be established in view of extensive charring and burning of the remains and the absence of other injuries; other reports named extensive burns, gunshot wounds, traumatic amputation of extremities, and injuries to the head and body as the causes of death. Injuries from gunshots and explosions, burns and psychological traumas were recorded for the surviving hostages.

(l) Additional requests and applications lodged by the victims

311. In the course of the proceedings the victims lodged several hundred applications. Some of them were lodged with the district courts in Vladikavkaz, where the investigation was being conducted, while others were lodged directly with the North Ossetia Supreme Court. Some of them have been submitted to the Court, others are mentioned in the statement of facts or in the trial records.

312. Thus, on 29 September 2005 the victims requested the withdrawal of the State prosecutor heading the investigation team, Deputy Prosecutor General Mr Shepel. They argued that the investigation had been incomplete and failed to take into account all the relevant information about the crime. They indicated that the copies of expert reports ordered in the case had been unavailable to them, that the prosecutor's office had ignored numerous facts and statements which had differed from the facts "selected" to form the basis of Mr Kulayev's indictment, and that the role of various officials in the hostages' deaths had not been clarified. This application was dismissed.

313. In January 2006 the victims applied for the withdrawal of the prosecution and the judge presiding in the case, referring to the incomplete nature of the investigation and the repeated dismissal of their applications by the judge. They also questioned the logic behind separating the

investigation concerning the terrorist act and its consequences into several sets of criminal proceedings. These applications were also dismissed (v. 4 p. 1801).

314. In November to December 2005 and January 2006 the victims applied to the trial court for permission to call and question a number of additional witnesses: members of the OH, senior civilian and FSB officers who had been present in Beslan during the operation, members of the Ossetian Parliament's investigative commission on Beslan, and persons who had negotiated with the terrorists, including Mr Gutseriyev, Mr Roshal, Mr Z. and Mr Aslakhanov. The court granted the applications concerning several Ossetian officials who were members of the OH, but refused to call other officials, negotiators and members of the Ossetian Parliament. It also refused to include the results of the investigation of the Ossetian Parliamentary Commission in the case file (v. 3 pp. 1311-1312, v. 4 pp. 1570, 1589, 1651, 1778-1783, 1796, 1929). In January 2006 the court granted the victims' application to question Mr Z., Mr Roshal and some senior FSB officials.

315. In February 2006 the victims again sought the withdrawal of the prosecutor in the trial. They argued, with reference to the European Convention on Human Rights, that the investigation had been ineffective and incomplete in ascertaining the most important elements of the crime. They sought to appoint independent experts in order to clarify key questions concerning the preparation of the terrorist act, the composition and powers of the OH, the reasons for the first explosions, the use of flame-throwers, grenade launchers and tank guns, and the belated arrival of the firefighters. This application was dismissed (v. 4 p. 1936).

316. In July 2006 the victims sought to acquaint themselves with the entire set of documents in the criminal case and to be allowed to take copies. Similar requests were lodged in March and July 2007, but apparently to no avail.

(m) The judgment of 16 May 2006

317. In his final submissions of February 2006 the prosecutor requested the court to apply the death penalty to the accused. The victims argued that the investigation and the trial had failed to elucidate many key elements of the events and that the officials responsible should be prosecuted for their actions which had led to the tragedy.

318. On 16 May 2006 the North Ossetia Supreme Court found Nurpashi Kulayev guilty of a number of crimes, including membership of a criminal group, unlawful handling of arms and explosives, aggravated hostage taking, murder, and attempts to kill State officials. The 319-page judgment summarised witness and victim statements, and referred to forensic reports and death certificates, expert reports and other evidence. The court found that 317 hostages, one Beslan civilian and two Emercom workers had been killed; 728 hostages had received injuries of varying degrees (151 – grave injuries; 530 – injuries of medium gravity; and 102 – light injuries). Ten servicemen of the FSB had been killed and fifty-five servicemen of the army and law-enforcement bodies wounded. The actions of the criminal group had caused significant material damage to the school and private property in Beslan. Mr Kulayev was sentenced to life imprisonment.

(n) Cassation at the Supreme Court

319. The victims appealed against the court's decision. In particular, in their detailed complaints of 30 August and 8 September 2006 they claimed that the court had failed to undertake a thorough and effective investigation into the crime and that its conclusions had not been corroborated by the facts. They argued that the court had failed to investigate the authorities' failure to prevent the terrorist attack, to apportion responsibility for the decisions taken by the OH, to establish the exact places and circumstances of the first explosions in the gymnasium, and to assess the lawfulness of the use of indiscriminate weapons by the security forces. They also complained that the court had not allowed them full access to the case materials. Their complaints were supplemented by reference to the relevant statements and documents.

320. On 26 December 2006 the Supreme Court held a cassation review. Four victims and the defendant's lawyer, as well as the prosecutor, addressed the court. The Supreme Court slightly amended the characterisation of one offence imputed to Mr Kulayev; the remaining part of the parties' complaints had been dismissed. In particular, the Supreme Court found that the questions raised by the victims had no bearing on the characterisation of Mr Kulayev's deeds and that the victims had been allowed full access to the case documents after the completion of the investigation.

321. On the same day the Supreme Court issued a separate ruling ("*частное определение*") in respect of Deputy General Prosecutor Mr Shepel, who had acted as the State prosecutor in the trial. The Supreme Court noted that his request to the trial court to apply the death penalty to Mr Kulayev had been contrary to the applicable legislation and as such incited the court to adopt a manifestly illegal decision.

(o) The applicants' position

322. The applicants in case no. 26562/07 *Tagayeva and Others* submitted to the Court that during the trial they had heard testimony and examined other evidence. It had allowed them to draw conclusions about the actions of the OH and other officials, most of which could not be elucidated within the course of the trial. Referring to the case materials and other evidence the applicants made the following inferences:

- on 1-3 September the hostages had been detained in inhuman conditions, subjected to intense physical and emotional stress including deprivation of food and water, humiliation, the witnessing of suffering and deaths of family members, and a feeling of helplessness in the absence of meaningful negotiation attempts from the outside world;
- the conclusion that the IEDs had been the origin of the first explosions was not supported by the hostages' statements and the state of the gymnasium;
- after the first explosions the servicemen of the army and FSB had employed heavy indiscriminate weapons including a tank gun, APC machine-guns, flame-throwers and grenade-launchers;
- the OH had not made the saving of hostages its primary aim and had authorised the use of heavy weapons during the storming;

- the firefighters' intervention had been significantly delayed, entailing additional victims in the gymnasium.

11. Criminal proceedings against police officers

323. In parallel to the proceedings in criminal case no. 20/849 and that concerning the actions of Mr Kulayev, two additional criminal investigations were conducted against police officers on charges of professional negligence.

(a) Criminal proceedings against the servicemen of the Pravoberezhny ROVD

324. On 20 September 2004 the Deputy General Prosecutor Mr Kolesnikov ordered the opening of a separate criminal investigation for negligence on the part the head of the Pravoberezhny ROVD, Mr Aydarov, his deputy on issues of population security, Mr Murtazov, and the ROVD's chief of staff, Mr Dryayev. This criminal case was assigned number 20/852.

325. The police officers were charged with negligence entailing grave consequences and the death of two or more persons under section 293-2 and 293-3 of the Penal Code. They were accused of having failed to properly organise an anti-terrorist defence and to prevent terrorist attacks in August 2004, despite the heightened terrorist threat and the existence of relevant telexes and orders of the North Ossetian Ministry of the Interior.

326. Over 180 persons were granted the status of victim in the proceedings. Although no procedural documents have been submitted, it appears from the cassation appeal by the victims that only those whose relatives had died were granted victim status in the proceedings, while other hostages had been refused this status.

327. On 20 March 2006 the Pravoberezhny District Court of North Ossetia started hearing the case. The applicants submitted four volumes of trial records, comprising about 1,500 pages and covering sixty-nine court sessions.

328. On 29 May 2007 the court terminated the criminal proceedings against the three officials, having applied to them the provisions of the Amnesty Act of 22 September 2006. The officers agreed to the application of the Amnesty Act, which absolved them from criminal responsibility for the acts committed during the period covered by it (see Relevant Domestic Law, below). The prosecutor's office supported the application of the amnesty, while the victims objected. The victims present in the courtroom, outraged by the verdict, ransacked the premises.

329. On 5-8 June 2008 seventy-five victims appealed against this decision. They challenged the applicability of the Amnesty Act to the circumstances of the case at issue and, in particular, noted that the counter-terrorism operation in Beslan had started after the commission of the crime in question. They also complained that the court had refused to consider civil claims at the same time, that many other hostages and relatives of injured persons had been refused the status of victim in the proceedings, that one volume of the criminal investigation file (no. 43) had been declared secret by the trial court and thus the victims were denied access to it, that a number of material witnesses had not been called, and that the trial court had refused to take into account additional evidence such

as the report of the North Ossetian Parliament about the investigation into the terrorist act.

330. On 2 August 2007 the Supreme Court of North Ossetia at last instance upheld the judgment of 29 May 2007. It found the victims' allegations about procedural deficiencies to be irrelevant to the conclusion and confirmed the applicability of the Amnesty Act.

331. The victims appealed against the above decisions through the supervisory review procedure, but to no avail.

(b) Criminal proceedings against the servicemen of the Malgobekskiy ROVD

332. On 7 October 2004 a separate criminal investigation was opened in respect of the head of the Malgobekskiy ROVD, Mr Yevloyev, and his deputy, Mr Kotiyev, for negligence entailing grave consequences (section 293-2 and 293-3 of the Penal Code). It appears that at least about one hundred former hostages or their relatives were granted victim status in these proceedings.

333. The applicants submitted various documents related to this trial, including about 200 pages of the trial court records, the victims' corrections to these records, copies of their complaints and other documents. As shown by these documents, the officials of the Malgobek ROVD had been charged with failure to spot the terrorists who had gathered and trained in the district and had travelled on 1 September 2004 to North Ossetia. The investigation obtained a number of documents which contained sufficiently clear and precise information about the possible terrorist threat and the actions to be taken to counter it. In particular, on 22 August 2004 the Ingushetian Ministry of the Interior had issued order no. 611 concerning a terrorist threat to public security, putting all staff of the Ministry on heightened alert until further notice. This document instructed all heads of district departments of the interior, *inter alia*, to contact the local municipalities, hunters and forest workers, in order to keep track of movements of suspicious men, and to check all trucks and other vehicles capable of transporting illicit cargo, if necessary using service dogs. On 23 August 2004 Mr Yevloyev issued a corresponding order on measures to be taken in the Malgobek District.

334. On 25 August 2004 the Ingushetian Ministry of the Interior issued order no. 617 about security measures in schools and educational facilities. By this order the police were called to take special measures aimed at the protection of educational facilities against possible terrorist acts. On 28 August 2008 Mr Yevloyev issued a corresponding document for the Malgobek District.

335. On 31 August 2004 the Ingushetian Ministry of the Interior sent a directive to all district departments, citing operative information about a possible terrorist act in educational facilities on the opening of the academic year. Again, a number of urgent steps involving the local self-government and the schools administration were recommended.

336. The trial was conducted by the Supreme Court of Ingushetia in closed sessions in Nalchik, Kabardino-Balkaria. The defendants opted for jury trial. On 5 October 2007 the jury declared the defendants not guilty. On the same day the Supreme Court of Ingushetia fully acquitted the defendants and rejected the civil suits lodged by the victims within the same proceedings.

337. The victims appealed, and on 6 March 2008 the Supreme Court confirmed the validity of the judgment. The victims' subsequent appeals for supervisory review were futile.

12. Civil proceedings brought by the victims

(a) First group of claimants

338. In November 2007 a group of victims submitted a civil claim directed against the Ministry of the Interior, seeking to obtain compensation for the damage caused by the terrorist act. The victims referred to the judgment of the Pravoberezhny District Court of 29 May 2007 in respect of the officers of the Pravoberezhny ROVD of Beslan. They argued that the application of an Amnesty Act did not exclude the possibility of claiming damages in civil proceedings. Arguing that the Ministry of the Interior had failed to take steps to prevent the terrorist act, they sought financial compensation in respect of each family member who had died or had been a hostage.

339. The Pravoberezhny District Court, on several occasions, requested the applicants to supplement the claims. On 22 May 2008 the Pravoberezhny District Court ordered the case to be transferred to the Leninskiy District Court of Vladikavkaz, at the location of the North Ossetian Ministry of the Interior. On 26 September 2008 the Leninskiy District Court ordered the case to be transferred to the Zamoskvoretskiy District Court of Moscow, at the location of the Ministry of the Interior of Russia. On 21 October 2008 the North Ossetia Supreme Court, upon the applicants' appeal, quashed the District Court's ruling and remitted the case to the Leninskiy District Court.

340. On 10 December 2008 the Leninskiy District Court of Vladikavkaz dismissed the applicants' civil action against the Ministry of the Interior. It explained that the Suppression of Terrorism Act, relied on by the claimants, did not provide for compensation for non-pecuniary damage by a State body which had participated in a counter-terrorism operation. As to the applicants' attempt to link the compensation claim to the decision not to prosecute the officers of the Pravoberezhny ROVD, the court dismissed it as addressed to another defendant.

341. On 24 February 2009 the North Ossetia Supreme Court rejected the applicants' appeal against the above decision. The applicants' subsequent attempts to obtain supervisory review of these decisions proved futile.

(b) Second group of claimants

342. In separate proceedings another group of victims attempted to sue both the Russian and the North Ossetian Ministry of the Interior for non-pecuniary damage caused to them by the terrorist act. With similar reasoning, on 9 December 2009 the Leninskiy District Court of Vladikavkaz dismissed the claim. On 17 March 2009 the North Ossetia Supreme Court upheld this decision at last instance.

13. Report prepared by the North Ossetian Parliament

343. On 10 September 2004 the North Ossetian Parliament put together a Commission to examine and analyse the events in Beslan on 1-3 September 2004. In its work the Commission relied on the available materials, including official documents, photographs, video footage and audio materials, press articles, witness statements and their own information sources. The Commission's report was published on 29 November 2005. The report was forty-two pages long and contained chapters on the chronology of the terrorist act, facts and analysis of the events preceding the hostage-taking, the actions of the OH and various State agencies involved, examination of the reasons for the first explosions in the gymnasium, detailed information about the fighters involved in the crime and various statistical information relevant to the act. The report ended with recommendations to the authorities.

(a) Prevention of terrorist act

344. The Commission strongly criticised the local police and FSB branches in Ingushetia and North Ossetia. It expressed particular dismay at the fact that despite a "heightened security threat" the terrorist group had been able to gather and train unnoticed in the vicinity of a village and a major local road; as well as the group's unhindered passage to the school in the centre of a town across the administrative border, which was supposed to be under special protection. The Commission argued that the police's attention had been diverted to the presidential elections in Chechnya which had taken place on 29 August 2004 and following which no real attention had been paid to other security threats.

(b) The work and composition of the OH

345. Turning to the work of the OH, the report was highly critical of its composition and functioning. It concluded that the "first, so-called 'republican' OH" had been created on 1 September 2004 at 10.30 a.m., in line with the Suppression of Terrorism Act and the preliminary plan dated 30 July 2004. It comprised eleven persons under Mr Dzasokhov's command and included the heads of the North Ossetian FSB, Ministry of the Interior and other officials. In the presence of the OH members, Mr Roshal and a number of other public figures, Mr Dzasokhov announced that he was prepared to go to the school; however, the deputy Minister of the Interior of Russia, Mr Pankov, responded that in such case he would be authorised to arrest him. Mr Dzasokhov himself confirmed that he had been informed by senior officials in Moscow that he should not take "any steps which could lead to further complications of the operation aimed at liberation of the hostages". This "republican" OH continued to consider possible strategies aimed at liberating the hostages throughout the crisis. They also considered the possibility of inviting Mr Maskhadov to negotiate.

346. In the meantime, in the afternoon of 1 September 2004 the President of Russia, pursuant to a secret order of the Russian Government (no. 1146-rs), determined the composition of the OH under the command of General-Major V. Andreyev, the head of the North Ossetian FSB. This OH included the commander of the 58th army of the Ministry of Defence,

General-Lieutenant V. Sobolev, the head of the North Ossetian Emercom, Mr Dzgoyev, the North Ossetian Education Minister, Mrs Levitskaya, the director of the *Zashchita* Centre for Disaster Medicine, Mr Goncharov, and the deputy head of the information programmes department of the *Rossiya* State TV company, Mr Vasilyev. The report criticised the composition of the OH, which had excluded not only Mr Dzasokhov – North Ossetia’s President – but also a number of other high-level officials from the Republic. It further noted that two deputy directors of the FSB who had arrived in Beslan – Mr Anisimov and Mr Pronichev – had not been officially designated to take on any tasks in the OH. This had led to a situation of a multitude of “leaderships”.

347. The report described the situation as follows:

“The striking disunity of the headquarters is further proved by their locations. The Beslan administration building saw the following distribution of bodies and officials.

In the left wing of the ground floor – FSB (Generals V. Andreyev and T. Kaloyev). In the office next to them – Mr Pronichev and Mr Anisimov. On the third floor, in the left wing were situated the Republic’s President, Mr Dzasokhov, Parliament’s speaker Mr Mamsurov, Representative plenipotentiary of Russia’s President in the Southern Federal Circuit, Mr V. Yakovlev, and a group of Duma deputies headed by Mr D. Rogozin. In the right wing of the third floor worked the commanders of the *Alfa* and *Vympel* special forces’ units under the leadership of General Tikhonov.

However, the most closed and mysterious structure was situated in the southern wing of the ground floor of the [administration building], keeping its work secret from all members of the above-listed headquarters. In it worked persons who did not belong to any official headquarters structure: Mr Anisimov and Mr Pronichev, Mr Pankov, Mr Kaloyev and others.

Another mysterious structure was located on the second floor of the building, in the centre. This was a sort of ‘ideological headquarters’ where all information going public was verified and edited prior to publication. Most probably, the announcement of the figure of 354 hostages had been decided there. ...

In addition, the commander of the 58th army, Mr Sobolev, had set up his headquarters outside the administration building. Mr Dzgoyev, who, according to his own statement, had been “in reserve”, was also stationed outside the building; as was the North Ossetian Minister of the Interior. ...

The formal nature of Mr Andreyev’s appointment as OH commander is supported by well-known facts. The head of the North Ossetian FSB had left the headquarters on dozens of occasions and thus lost control over the situation: he talked to the Beslan citizens outside the OH, met with journalists, accompanied Mr Aushev to the school on 2 September and the Emercom group on 3 September. How could the General, on whose decisions the lives of hundreds of persons depended, behave in this way? This is either excluded or, to the contrary, quite possible, if real decisions for Mr Andreyev had been taken by his immediate superiors – Mr Pronichev, Mr Anisimov and, probably, the head of the North Caucasus department of the FSB, Mr Kaloyev.

There are reasons to believe that Mr Andreyev’s orders and directives were not formally recorded, that no meetings of the OH had taken place, and that everything was decided in oral form in the course of working discussions with various agencies.

...

One gets the impression that the OH under Mr Andreyev’s command oscillated between two extremes: on the one hand, without making public the terrorists’ demands, it was searching (or pretending to search) for negotiators who would be able

to participate in such talks; on the other hand it constantly announced the impossibility of a forced solution, while at the same time being obliged not simply to consider this option but to take steps in order to implement it. ...

By the end of the second day, not a single federal official who could at least partially discuss the terrorists' demands had contacted them with the aim of negotiating. Becoming more and more convinced that their demands were not being considered and that the topic of negotiations remained the hostages' supply with food and water, liberation of the infants and elderly, an 'escape corridor' to Chechnya and the like, the terrorists hardened the hostages' conditions. As to the terrorists' agreement to allow the evacuation of two dozen bodies from the school courtyard, it was probably caused by the fighters' wish to scare the population and to make the OH more flexible, since one could easily predict the impression on the relatives of an Emercom truck loaded with corpses.

Incomplete information about the development and content of the negotiations, and the lack of clarity about the videotape transmitted to the headquarters, leave many questions unanswered. ...

Without questioning the principle of non-compliance with the terrorists' demands, although the Suppression of Terrorism Act speaks about minimal concessions to the terrorists, it appears that it would have been much more reasonable if the federal authorities, to whom the terrorists' demands had been directed, had undertaken to implement it, rather than delegating this problem to the regional authorities or even a paediatrician. It is obvious that any promises of the regional authorities not supported by appropriate guarantees by the highest officials could not have inspired the fighters' confidence, and they could not have taken seriously the so called 'security corridor'."

(c) The first explosions

348. The report argued that the first two explosions could not have come from the IEDs. The first explosion, according to the hostages' testimony, had occurred in the northern part of the gymnasium's roofing space; it had destroyed part of the roof and created a mushroom-shaped smoke cloud above the explosion. The report argued that this could not have been the result of an IED explosion for a number of reasons: the terrorists had not mined the roof or the roofing space of the gymnasium, not a single electric cable had led there; a mine in the gymnasium could not have destroyed the ceiling and roof six metres above; there should have been several simultaneous explosions because they had been connected in a single chain; the mushroom-shaped cloud could not have risen within seconds to about 13-15 metres above the roof from an IED explosion inside the gymnasium; the damage to the basketball hoop and the brick wall of the gymnasium bore evidence of the passage of an externally fired device. The second explosion, which had created a half-metre-wide opening in the brick wall under the window, had not been the result of an IED either, since the floorboards immediately near the hole had not been damaged; unlike the floorboards under the basketball hoop where the IED had later detonated.

349. The report stated that the video-recording of the events had captured not only the smoke cloud from the first explosion, but also the sounds of both explosions, leading to the conclusion that the shots had been fired from a grenade-launcher or a flame-thrower. The report considered that the nature of the destruction was consistent with this version. The choice of targets inside the gymnasium was determined by the presence

there of the pedal-holding fighter; since the sniper could not have reached him, the grenade had resolved this situation.

350. The report found that the third explosion most probably resulted from an IED being affected by spreading fire.

351. The document concluded by saying that the exploration of the first explosions should have been carried out properly within the framework of the criminal investigation. The report deplored the hasty clearing of the site, which had been opened to the public on 5 September 2004 and referred to “hundreds of people who had found objects which should have been of interest to the investigation”. A number of items had apparently been collected at the rubbish dump where the debris had been taken on 4 September in trucks.

352. In a separate conclusion, the report stated that the active involvement of civilian volunteers immediately after the explosions had saved many hostages’ lives. The evacuation had been carried out by those persons who had taken on “the functions of police, firemen and emergency workers”.

(d) The actions of security forces

353. The report evaluated the number of army and police forces (excluding the FSB) deployed within the security perimeter around the school at about 1,750 persons. Three security lines were judged to be of little effect and had basically fallen apart once the operation had started. Hundreds of civilians and dozens of private cars had circulated without hindrance through the lines; filtration groups, formed in advance out of servicemen of the police special forces (OMON) and the Pravoberezhny ROVD, had not stopped for identity check any of the volunteers who had helped to evacuate the hostages. The report remarked that many men had arrived from elsewhere in Ossetia and spent two days around the school; they were often unshaven, dirtied with blood and soot, and could not have been distinguished from terrorists.

354. The report then addressed the problem of ambulance and fire-brigade access to the school, commenting that it was made difficult by the vehicles parked in the adjacent streets and which had not been towed away. The first fire vehicle which arrived at the school at about 2 p.m. had not carried a full load of water in its cistern. Other fire brigades which arrived even later had allowed civilian volunteers to operate the water hoses.

355. The report found it established that on 3 September between 2 p.m. and 2.30 p.m. a tank with hull number 328, stationed behind the railway line, had fired several times at the canteen and kitchen with non-explosive warheads; around 4.30 p.m. tank with hull number 325 in Komintern Street had fired from a close distance at the canteen, at the area immediately above the entrance to the cellar. The Commission’s members could not agree that the use of the tank to fire at the canteen before 5 p.m. had been justified in view of the probable presence of the last group of hostages with the terrorists. The Commission had entered the cellar and found it entirely intact and bearing no traces of the terrorists’ alleged stay there. No complete information could be obtained about the use of tanks, helicopters, flame-throwers or other heavy weapons.

356. The document separately noted the multitude of responsibility lines within the various agencies involved. Thus, according to the Commission's information, the commander of the 58th army had regularly reported to the Chief of Staff of the Ministry of Defence in Moscow and had obtained directions from him in return. The Ministry of the Interior had commanded the largest contingent in Beslan and it had initially followed the orders of its own headquarters based in the administration building; later it followed the directions issued by the FSB.

357. Turning to the role of the FSB, the report stated the following:

“The Russian FSB has remained the most closed structure in terms of the Commission's efforts to obtain information in order to find out about its actions on 1-3 September 2004. Therefore it is very difficult to accept, without further verification, the statement that, according to the operative groups of the Special Services Centre, by 6 p.m. there remained no living hostages with the terrorists (in the classes, cellar and roofing space).”

(e) The fighters' identities

358. The report devoted some attention to the number of fighters and their identities. It noted discrepancies in the names and number of identified and non-identified terrorists in the documents issued by the prosecutor's office in relation to the investigation in criminal case no. 20/849. Relying on the information provided by the General Prosecutor's Office, the report listed 38 names or aliases; of them 22 persons (including N. Kulayev) were identified by their full name, date of birth, ethnic origin and place of residence, and 14 persons were identified provisionally. In the list of 38 persons, at least nine had previously been detained by the law-enforcement authorities; some of them had been released for unknown reasons. Thus, according to the report, Mr Iliyev had been detained in 2003 in Ingushetia on charges of illegal handling of weapons and ammunitions, but the case had been closed two months later; Mr Khanpash Kulayev had been sentenced to nine years in prison in 2001; Mr Shebikhanov had been charged with attacking a military convoy in August 2003 and released by jury in July 2004; Mr Tarshkhoyev had been convicted at least three times and given suspended sentences for illegal handling of arms and theft, most recently in March 2001; Mr Khochubarov (“*Polkovnik*”) had been on trial for illegal handling of arms; Mr Khodov had been wanted for a number of serious crimes including terrorist acts and had been detained in 2002 but released. Most other identified terrorists were known to the law-enforcement authorities, who had retained their fingerprints, on the basis of which their bodies were identified. Many were on wanted lists for various crimes.

359. Some persons initially announced by the General Prosecutor's Office as identified bodies in Beslan had later been killed in other places. Thus, Mr Gorchkhanov's death had first been announced in Beslan; in October 2005 his name was again announced by the Deputy General Prosecutor Mr Shepel among the organisers of the attack at Nalchik, Kabardino-Balkaria, who had been killed. Mr Kodzoyev was first identified among the terrorists in Beslan and apparently had a telephone conversation with his wife, whom the authorities had brought to the school on 2 September; then his death had been announced in an anti-terrorist

operation in Ingushetia in April 2005. The report deplored the lack of clarity in such an important aspect of the investigation and called the prosecutor's office to issue clear and exhaustive information in this regard.

(f) Statistical information

360. The report contained a table, composed on the basis of information provided by the General Prosecutor's Office, with various figures related to the total number of hostages, the number of killed and injured, persons liberated as a result of the anti-terrorist operation, etc. In this respect the Commission noted that the causes of death for 331 persons were distributed as follows: 20 persons had died in hospital; 51 persons (including 21 men killed on 1 September) had died of gunshot wounds; 150 had died of shell wounds; 10 of fire injuries; and 4 of blunt injuries. In 116 cases the cause of death could not be established owing to extensive fire damage. 83 bodies were identified through DNA matching; six cases called for exhumation and a DNA test; these procedures lasted until April 2005. The Commission concluded that the real reasons for many victims' deaths and injuries had not been established: the bullets and shell fragments had not been extracted from the bodies; no ballistics reports had been made to analyse the bullets and cartridges found at the scene. Thus, concluded the report, the real reasons for many victims' deaths had not been established.

(g) The report's publication, reactions and further information

361. The Commission's report was made public in December 2005. Mr Torshin stated that the report posed more questions than it gave answers; its findings and conclusions were not mentioned in the report prepared by the State Duma (see below).

362. In 2007 the report was published as a separate book. By that time the authors had prepared additional statistical data. It included a complete list of hostages, with indications of injuries and dates of death, and other important findings. Many figures arrived at by the authors of the report differed from those used by the prosecutor's office.

363. In particular, the authors stated that 1,116 persons (not 1,127 as indicated by the General Prosecutor's Office) had been taken hostage; three persons had escaped on 1 September; 17 (not 21) men had been shot dead on 1 September; 24 (not 26) persons had been led out by Mr Aushev on 2 September. By 1 p.m. on 1 September 1,072 hostages remained alive in the school; 284 had been killed during the storming; ten died in hospital within two months and three more by 2006. 10 special forces servicemen were killed, two servicemen of Emercom and seven civilians: three were killed on 1 September by the assailants and four more during the storming, while evacuating the hostages. 35 civilians were wounded, the majority of them while evacuating the hostages from the school.

364. The publication gave a list of the servicemen of the FSB, the Ministry of the Interior and Emercom who had been killed (12 persons) and injured (52) during the terrorist act.

365. Turning to the causes of death, the publication stated that the Commission had examined over 300 orders for forensic expert reports issued by the prosecutor's office on 3-4 September 2004 and the forensic reports issued by the North Ossetia State Forensic Bureau (*Бюро*

Судебно-медицинской экспертизы, БСМЭ). The document recalled that the investigation's orders had suggested that the experts should examine the bodies externally, and carry out a full forensic report only "where necessary". Only a few cases had thus entailed a full forensic examination; one third of the expert reports had concluded that "the cause of death could not be established". In total the document stated that signs of burns were noted on 159 bodies out of 333, although for most cases the experts had noted that the carbonisation had most probably occurred post mortem. They also noted the disproportionately high number of victims who had died of gunshot wounds: 44 civilians, including 11 women and 9 children; while only 7 servicemen out of 11 had died of gunshot wounds.

366. Finally, the report noted that nine (and not six as indicated in the official documents) exhumations for additional verification of remains had been carried out. The report listed these cases.

14. The State Duma report

(a) Report prepared by the Commission chaired by Mr Torshin

367. On 20 and 22 September 2004 both chambers of the Federal Assembly (the Russian Parliament) – State Duma and Federation Council – decided to create a joint commission in order to investigate the reasons for and circumstances of the terrorist act in Beslan. About twenty members of both chambers were appointed to the Commission, chaired by Mr Aleksandr Torshin, Deputy Speaker of the Federation Council. The Commission undertook a number of investigative measures, including several visits to Beslan as well as to Ingushetia, Chechnya and Rostov-on-Don.

368. The Commission questioned 45 high-ranking officials, including the Prime Minister, several federal ministers, Mr Aslakhonov, aide to Russia's President; Mr Patrushev, Mr Pronichev and Mr Anisimov - the head of the FSB and his two deputies; General Tikhonov, head of the FSB Special Services Centre; several high-ranking officials from the General Prosecutor's Office, including four deputies to the General Prosecutor; North Ossetian and Ingushetian officials, including Mr Dzasokhov and Mr Zyazikov; and persons who had negotiated with the terrorists: Mr Aushev, Mr Gutseriyev and Mr Roshal. The Commission received several hundred telephone calls to a special line and letters.

369. On 22 December 2006 the Commission's report was presented to the Federal Assembly. The written report ran to 240 pages. It included a chronology of the terrorist act, chapters on the actions of the State authorities, a historical and political analysis of terrorism in the Northern Caucasus and a number of legislative recommendations. Two Commission members refused to sign it; one of them, Mr Savelyev, prepared an alternative report (see below).

370. The report's main conclusions were principally in line with the conclusions of the criminal investigations. In particular, the report noted the following:

- Prior to the terrorist act, a number of security measures had not been taken by the local administration and police forces in North Ossetia and Ingushetia. The conduct of police in the Malgobek district was described as professional negligence and the actions of

police in Ingushetia in general – as “keeping aloof” from following orders from the Ministry of the Interior (pages 107-108 of the report). The police force of North Ossetia failed to comply with certain precautionary measures and this had facilitated the terrorists’ attack at the school.

- The actions of the federal authorities were adequate and correct.
- The OH had been correct in its actions aimed at negotiations with the terrorists, however a number of weak points had been identified in the composition of the OH, the conducting of its work, and the informing of the population about the developments (pp. 84, 94).
- The first explosions in the gymnasium were caused by two IEDs (p. 87).
- The use of flame-throwers and the tank gun against the school had been authorised by the head of the FSB Special Services Centre after 6 p.m. on 3 September and had not caused any harm to the hostages, who by that time had been evacuated (p. 89).

(b) Separate report by Mr Yuriy Savelyev

(i) The report

371. Mr Yuriy Savelyev, a deputy of the State Duma elected in 2003 from the *Rodina* party, was a member of the Parliamentary Commission headed by Mr Torshin. Mr Savelyev is a rocket scientist by profession, holds a doctorate in technical sciences, was the director of the St Petersburg Military Mechanics Institute, and is the author of numerous scientific works and training manuals on rocket construction, ballistics, thermodynamics and pertinent fields.

372. In the summer of 2006 Mr Savelyev announced a serious disagreement with the report drafted by the Commission. Later that year he published a separate report, based on the examination of the materials to which he had access as a Commission member. The report, entitled “Beslan: The Hostages’ Truth” (“Беслан: Правда Заложников”), contained seven parts:

- Part 1. The first explosions in the gymnasium, 259 pages with 58 photos.
- Part 2. The origin and development of the fire in the gymnasium, 133 pages with 43 photos.
- Part 3. Use of portable fire-launchers and grenade-launchers, 97 pages with 49 photos.
- Part 4. Use of T-72 tanks and APC-80 military vehicles, 140 pages with 52 photos.
- Part 5. Women in the terrorist group, 69 pages with 12 photos;
- Part 6. Losses among hostages sustained outside the gymnasium, 145 pages with 54 photos.
- Part 7. The circumstances of the seizure of hostages, 296 pages with 21 photos.

373. This report was submitted to the Court, its entire content being published on the Internet site pravdabeslana.ru.

374. Although based on the same factual materials, the report also relied on the author’s own technical expertise and drastically differed in its

presentation and conclusions from the document signed by the majority of the Parliamentary Commission and thus from the conclusions reached by that time by the criminal investigation.

375. To sum up the most important distinctions, in Part 1 Mr Savelyev concluded that the first explosion had resulted from the detonation in the attics over the north-eastern part of the gymnasium of a thermo-baric grenade launched by a portable grenade-launcher from the roof of house no. 37 in Shkolny Lane. The terrorist holding the “dead man’s switch” right under the detonation had been killed instantly. The explosion created a zone of powerful smouldering combustion in the wood and insulation material of the attics, which later turned into fire. The second explosion occurred twenty-two seconds later under the first window of the northern side of the gymnasium, destroying the brick wall and throwing the bricks outside, while the window pane situated immediately above the opening had remained intact. Mr Savelyev concluded that the nature and extent of destruction in this particular area ruled out the idea that it came from an IED inside the gymnasium. He argued that the explosion had been caused from the outside, probably by a portable anti-tank missile fired from the roof of house no. 41 in Shkolny Lane. The projectile had entered the gymnasium from the opposite window and created the opening in the wall.

376. Mr Savelyev further argued in Part 2 that the fire which had been triggered by the first explosion in the attics had continued to spread unabated until 3.20 p.m. The broken windows of the gymnasium and the opening torn in the roof by the explosion had created a powerful draught, feeding the smouldering insulation with oxygen. The fire raged in the attics with sufficient force to destroy the wooden beams holding the roof slates, which finally collapsed by 3.20 p.m., burying those hostages who were unable to leave under the burning fragments. The firemen intervened after 3.20 p.m., when the fire from the collapsed roof had spread to the floor and walls of the gymnasium.

377. Part 3 of the report included detailed information and analysis of the type and number of arms and ammunitions used between 1 and 4 September 2004. This information was made available to the Commission, whilst the victims had no direct access to it. According to the report, volume 1 of the criminal investigation file no. 20/849 contained a “joint record of use of arms and ammunition during military operation” (*“сводный акт об израсходовании боеприпасов при выполнении соответствующей боевой задачи”*) no. 27 of 10 September 2004. Pursuant to this record, various military units had used over 9,000 cartridges for automatic weapons (5.45 mm PS, 7.62 mm LPS, 5.45 mm T), 10 disposable anti-tank rocket launchers (RPG-26), 18 disposable propelled anti-tank grenade-launchers (PG-7VL), 8 high fragmentation warheads [for tank gun] calibre 125 millimetres (125 mm OF) and 90 smoke grenades (81 mm ZD6).

378. The report further noted that on 20 September 2004 the members of the Parliamentary Commission had discovered in the attics of house no. 39 in Shkolny Lane six empty tubes from RPO-A flame-throwers and three empty tubes of disposable RPG-26 anti-tank rocket launchers, the serial numbers of which had been noted by the Commission members in an appropriate record on 22 September 2004. These tubes were transmitted to

the prosecutor's team carrying out the criminal investigation. According to the report, volume 2 of criminal case file no. 20/849 contained a document dated 25 September 2004 and signed by Lieutenant-Colonel Vasilyev from military unit no. 77078 of the 58th army. This document stated that the FSB units had received from the military storage seven RPO-A flame-throwers and listed their serial numbers. After the operation two flame-throwers with the indicated numbers, plus one with a different serial number, had been returned to storage. At the same time, Mr Savelyev noted that the serial numbers of flame-throwers noted in the Commission's record of 22 September 2004 and in the document issued by Lieutenant-Colonel Vasilyev on 25 September 2004 differed. He referred to other contradictory evidence given by military servicemen and the statements by the Deputy General Prosecutor in relation to the use of flame-throwers and concluded that no less than nine disposable RPO-A flame-throwers had been used by the special forces. Mr Savelyev also referred to the witness statements of one serviceman of the FSB given to the investigation and contained in volume 5 p. 38 of file no. 20/849, according to whom the RPG-26 and RPA had been used during the storming (in daytime) and the statement of General Tikhonov of the FSB to the Parliamentary Commission on 28 October 2004 that the RPG and RPO-A had been used at 3 p.m.

379. Mr Savelyev listed detailed characteristics of each type of projectile in question. According to his conclusions, after the first two explosions at 1.03 p.m., the school building was exposed to the following assault: between 1.30 p.m. and 2 p.m. the windows of the first floor of the southern wing were fired at with portable grenade launchers, probably types RPG-26 and RShG-2; between 2.50 p.m. and 3.05 p.m. flame-throwers (RPO-A) were used upon the roof of the main building, RPG-26 and RShG-2 grenade-launchers were fired at the south-facing windows of the first floor of the southern wing and a RPO-A flame-thrower upon the roof of the southern wing at the point where it joined the main building. He also argued that at least one thermo-baric explosive grenade had been launched from a MI-24 helicopter at the target in the central area of the main building's roof above the Ossetian language class, at the position of a terrorist sniper which could not have been suppressed by any other means.

380. Part 4 concentrated on the use of tanks and APCs during the storming. Having analysed numerous witness statements and material evidence, the report drew the following conclusions: three tanks with hull numbers 320, 325 and 328 took positions around the school. Tanks with hull numbers 325 and 328 were positioned near house no. 101 on Kominterna Street. These two tanks repeatedly fired at the school building at 2.25 p.m. and then between 3 p.m. and 4 p.m. on 3 September. Seven additional shots were fired from tank with hull number 325 at the canteen windows and the wall and stairwell of the southern wing.

381. Part 5 of the report was devoted to the analysis of the witness statements and other evidence about the number of women in the terrorist group. Mr Savelyev concluded that the group had counted five women: four suicide bombers who changed places with each other so that two of them remained at any one time in the gymnasium, while the fifth woman was probably a sniper and remained on the top floor of the school.

382. Part 6 of the report examined the situation of the hostages whom the terrorists had forced to move from the gymnasium to the southern wing after the first explosions. From the photographs and video footage of the events and the witness' accounts, Mr Savelyev construed that between 1.05 p.m. and 2.20 p.m. the terrorists had evacuated about 300 persons to the southern wing. There the hostages were distributed in more or less equal numbers between the premises of the canteen and kitchen on the ground floor and the main meeting room on the first floor. The southern wing became the area of fierce fighting between the terrorists and the assault troops; eight out of ten FSB elite officers died there. The presence of hostages in that wing was not taken into account by the assaulting troops, who had employed indiscriminate weapons. Mr Savelyev noted the absence of a detailed description of the location of the hostages' bodies, whereas this could have allowed the circumstances of the hostages' deaths in the southern wing to be established. He argued that the bodies in the gymnasium had been exposed to fire; the number of persons who had been found dead on the premises adjacent to the gymnasium was known. He thus estimated the number of hostages who had lost their lives during the fighting in the southern wing at about 110 persons.

383. To Part 6 was appended a "study case" – a document prepared by several authors including the head of the North Ossetian State Forensic Bureau, summarising their experience in the Beslan terrorist act and the completion of forensic reports. The document listed various problems related to the collection, transportation and storage of remains, the organisation of the identification process and the compiling of forensic reports. In view of the large number of remains, many with extensive injuries and difficult to identify, together with the presence of numerous aggrieved relatives, on 4 September the prosecutor's office had taken the decision first to permit identification of the remains by the relatives and then to carry out forensic examinations. As a result, there were a number of incorrect identifications which later had to be corrected. Furthermore, in view of these constraints most identified bodies were subjected only to an external examination. The exact cause of death had been established in 213 cases: of those, gunshot wounds in 51 cases (15,5 %), shell wounds in 148 cases (45%), burns in 10 cases (3%), and blunt injuries in 4 cases (1.2%). The cause of death had not been established in 116 cases (35.6%) due to extensive injuries by fire. The document concluded by giving a number of recommendations for the future, including establishment of a single information centre and careful compliance with various procedural stages, with persons responsible for each stage.

384. Part 7 of the report covered the first moments of the school seizure on 1 September. On the basis of witness accounts, Mr Savelyev construed that a small group of terrorists – between five and seven persons – had been present in the crowd by 9 a.m. Upon the signal of one of them, who started to shoot into the air, another group of ten to twelve persons entered the school building from Shkolny Lane and other sides. Some of them ran to the first floor while others broke windows and doors on the ground floor so that the hostages could enter the building. At this point the GAZ-66 vehicle stationed in Kominterna Street near the school fence approached the main school entrance and up to fifteen persons descended from it. This vehicle

left after the fighters had descended. Finally, the second GAZ-66 vehicle with a different registration plate entered from Lermontovskaya Street to Komintern at high speed, raising a large column of dust noted by many witnesses. Over twenty fighters, including four women, descended from it and ran towards the school; the vehicle then broke the school gates and stopped in the courtyard. The overall number of terrorists in the school was between 56 and 78.

(ii) Official and public reaction

385. In response to Mr Savelyev's allegations about the origins of the first explosions and the use of indiscriminate weapons upon the gymnasium, the Prosecutor's Office commissioned an expert report. In November 2006 the experts of the State-owned scientific and production company *Bazalt* and the Ministry of Defence Central Research and Testing Institute, named after Karbyshev, produced an all-round criminalist expert report on the explosions (see above). Its results were not published, but were cited by several Internet sites and by Mr Savelyev. According to these sources, the report had ruled out the idea that the first explosions came from externally delivered sources such as thermo-baric grenades or projectiles.

386. In March 2008 Mr Savelyev published an extensive interview in the *Novaya Gazeta*, illustrated by diagrams of the gymnasium that indicated four different places and origins of the first explosions in the gymnasium: three from expert reports commissioned by the investigation and his own. He argued that the results of the three experts' reports differed to such an extent that it was impossible to reconcile them. He further argued that the conclusions about the reasons and yield of the explosions contained in the latest expert report were inconsistent with the witness statements and material evidence. Finally, he drew attention to the fact that the remaining parts of his report concerning issues other than the first explosions had not been addressed by the investigation.

15. Other relevant developments

(a) Political consequences

387. In September 2004 the entire North Ossetian government was dismissed by Mr Dzasokhov.

388. On 6 September 2004 Russia's President Putin appeared in a televised address to the nation. He referred to the events in Beslan as an "attack on Russia", called for mobilisation of society and promised a series of radical measures to improve security, both internally and at an international level.

389. On 13 September 2004 the President signed a decree aimed at setting up a more efficient system of anti-terrorist measures in the North Caucasus region. On the same day, at a joint meeting of the Government of Russia and heads of Russia's regions, President Putin announced the following measures aimed at achieving greater national unity and better representation of the population's concerns: cancellation of direct elections of the regional heads of the executive, who would be elected by the regional parliaments upon the Russian President's nomination; the setting up of a

purely proportional system of parliamentary elections; establishment of a consultative body comprised of representatives of non-governmental organisations – a Civic Chamber (“*Общественная Палата*”); reinstatement of a special federal ministry charged with inter-ethnic relationships; implementation of a plan for social and economic development of the North Caucasus region, and some other steps. By the end of 2004 these administrative and legal measures had largely been implemented.

(b) Humanitarian relief

390. Pursuant to Russian Government order no. 1338-r of 11 September 2004, the victims of the terrorist act were awarded the following compensation: 100,000 Russian roubles (RUB) for each person who had been killed, RUB 50,000 for each person who had received serious and medium gravity injuries and RUB 25,000 for each person with minor injuries. Persons who had been among the hostages but escaped unharmed received RUB 15,000 each. In addition, the families received RUB 18,000 for each deceased person in order to cover funeral expenses.

391. The President of North Ossetia ordered, on 6 and 15 September 2004 (orders 58-rpa and 62-rp), the payment of RUB 25,000 in funeral costs for each person who had died, RUB 100,000 for each deceased, RUB 50,000 to each person who had suffered serious and medium injuries and RUB 25,000 to each of the other hostages.

392. The terrorist act in Beslan triggered a major humanitarian response, resulting in collections of significant sums of money.

393. Pursuant to Ossetian Government decree no. 240 of 17 November 2004, the North Ossetian Ministry of labour and social development distributed the funds paid into their account devoted to humanitarian relief to the victims in the following manner: RUB 1,000,000 for each person who had died; persons who had received grave injuries were granted RUB 700,000; persons with medium gravity injuries received RUB 500,000 each; persons who had minor injuries or were among the hostages received RUB 350,000 each. In addition, each child who had lost their parents received RUB 350,000 and other persons who had been briefly detained but were not among hostages, received RUB 75,000 each. Similar sums were allocated to the families and victims among the servicemen of the FSB and Emercom who had been killed or wounded.

394. In 2005 a memorial complex “City of Angels” was opened at the Beslan town cemetery. It comprised a single monument to the victims, individual burials of over 220 persons and a monument to the FSB servicemen who had died on 3 September 2004.

395. In 2004-2008 there followed a number of other measures by the Russian and Ossetian Governments, aimed at covering additional medical and social costs for the victims, as well as financing other projects in Beslan. Thus, in November 2004 the Russian Government Decree no. 1507-r provided for the construction of two new kindergartens and schools in Beslan, a multi-functional medical centre, an institute of social support to children and families and a number of housing projects aimed specifically at the victims’ families. Most of these projects, financed from the federal budget, were completed by 2010.

396. One sports boarding school opened in Beslan was constructed with the participation of Greece and was named after Ivan Kanidi (also spelled Yannis Kannidis), a sports teacher from school no. 1. Mr Kanidi, a Greek and Russian national, was 74 years old at the time and refused the terrorists' offer to leave the school. After the explosions in the gymnasium on 3 September he struggled with an armed fighter while trying to rescue children and was killed. In December 2004 he was posthumously awarded a Golden Palm Order by the Greek Prime Minister.

(c) Media and public reactions, most important publications

397. During and after the Beslan terrorist act, numerous journalists from all over the world covered the events.

398. On 1-3 September 2004 a number of incidents occurred with journalists who had been in Beslan or were attempting to get there. Thus, on 2 September Mr Babitskiy, a correspondent of Radio Free Europe, was detained in a Moscow airport while boarding a plane to the Northern Caucasus; on the following day he was sentenced to fifteen days' detention for an administrative offence. On the same day, a journalist from the Al-Jazeera TV company was arrested in the Mineralnye Vody airport in the Stavropol Region, on charges of possession of ammunition. Also on 2 September a well-known Russian journalist Anna Politkovskaya, who had written about the conflicts in the Northern Caucasus and who had acted as a negotiator during the "Nord-Ost" hostage crisis in Moscow in 2002, was severely poisoned in a plane travelling to the Rostov-on-Don airport. She fell into a coma and was treated over the following days in Rostov, and then in Moscow. A number of other Russian and foreign journalists were questioned, had their materials confiscated or were detained briefly while in Beslan. The editor-in-chief of the influential Russian daily *Izvestia*, Raf Shakirov, was dismissed immediately after publishing explicit photos from the school on 4 September 2004.

399. In January 2005 the US network CBS in their programme *48 hours* aired a film about the hostage-taking. In it, for the first time, was shown an extract filmed by the terrorists. The network alleged that the tape had been found by locals among rubble on the site and thus obtained by their journalist. The tape was made on 2 September 2004 inside the school and showed the fighters' leader, "*Polkovnik*", about a dozen other terrorists in full military gear and the talks with Mr Aushev. It also showed the mothers with nursing babies being led out by Mr Aushev. At the last moment one baby girl (the youngest hostage aged six months) was handed to Mr Aushev by her mother who could not force herself to part with her two elder children (aged three and ten, only the three-year-old boy survived). The extract ended with the school door being closed and locked by the terrorists filming from inside. The extract was tagged by the operator "Fun Time-2/09/2004".

400. Several large reports were produced by the journalists who had been in Beslan during the siege and by those who had investigated the tragedy afterwards. Notably, over the years the Moscow-based *Novaya Gazeta* and *Moskovskiy Komsomolets* ran a series of reports dedicated to the hostage-taking and the investigation; *Der Spiegel* published a large report in

its December 2004 issue; *The Esquire* published a story entitled “The School” in March 2007.

401. A significant number of other TV productions, documentary films and books have covered the subject. The applicants in the present cases, in particular, have referred to the relevant chapter from Mr Rogozin’s book “Public Enemy”. An Internet site <http://pravdabeslana.ru> is dedicated to the tragedy and subsequent proceedings.

(d) Victims’ organisations

402. The relatives and victims of the terrorist act have joined efforts, striving primarily to obtain a comprehensive investigation into the events of 1-3 September 2004 and to determine the degree of the officials’ responsibility.

403. In February 2005 the victims set up a non-governmental organisation *Materi Beslana* (Beslan Mothers). Today this organisation counts about 200 members – former hostages and relatives of the victims. It is headed by Mrs Dudiyeva.

404. In November 2005 several hundred victims set up another organisation, *Golos Beslana* (The Voice of Beslan), chaired by Mrs Ella Kesayeva. In November 2005 the NGO issued a public statement labelling the criminal investigation inefficient and fraudulent. It called anyone who could assist them with obtaining or gathering factual information about the events to do so. On 15 October 2009 the Pravoberezhny District Court of Vladikavkaz found that it had contained statements defined as “extremist” pursuant to The Suppression of Extremism Act (Federal Law no. 114-FZ of 25 July 2002) and put it on the federal list of extremist materials, making it an offence to diffuse it by any means.

405. These organisations have played an important role in collecting and publishing materials about the terrorist act in Beslan, advocating the rights of victims of terrorist acts in general, supporting victims in similar situations, and organising public gatherings and events. On two occasions – in September 2005 and in June 2011 – their representatives met with the Russian Presidents; they also regularly meet with local and federal officials and high-ranking international visitors.

B. Relevant domestic law and practice

The Amnesty Act of 22 September 2006 enacted by the State Duma

406. The Amnesty Act of 22 September 2006 was passed in respect of perpetrators of criminal offences committed during counter-terrorism operations within the territory of the Southern Federal Circuit. It applied to military servicemen, officers of the Ministry of the Interior, the penal system and other law-enforcement authorities, and covered the period from 15 December 1999 to 23 September 2006. It extended to criminal proceedings, whether completed or pending.

COMPLAINTS

1. Article 2

407. Relying on Article 2 of the Convention, all applicants complained about a violation of the right to life.

(a) The applicants in cases 26562/07, 49380/08, 21294/11 and 37096/11

(i) First application forms

408. This group of applicants submit that there has been a three-fold violation of the right to life. First, they argue that the first explosion in the gymnasium was the cause of death for about half of those who lost their lives in the events. They consider that the domestic law-enforcement bodies, including the courts, should have attributed responsibility for the occurrence of this explosion. The ensuing fighting, which entailed numerous deaths and injuries, was the direct consequence of the first explosion and the responsibility of the OH should have been elucidated in this respect.

409. Second, they argue that there has been a breach of the positive obligation to protect life. The school security had not been properly ensured by the law-enforcement authorities. Further, the OH, in its negotiation strategy, chose not to be guided by the need to preserve the hostages' lives above all. The storming of the building was not undertaken with the primary aim of preserving lives.

410. Third, the applicants argue that the obligation to investigate the loss of life has not been complied with. Criminal and other procedures have failed to establish all the relevant circumstances of the tragic events and to identify the persons responsible; only one person has been found guilty. The victims and their relatives have not been accorded full access to the documents of the criminal investigation, as a result they have not been able to argue their positions. Many of their demands and applications brought in the proceedings have been dismissed or left without proper consideration.

(ii) Second application form

411. In the second application form submitted in October 2011 the applicants formulate different complaints under Article 2. They consider that the Russian authorities were directly responsible for the deaths in the gymnasium, since they had attacked and killed the terrorists first. The deaths and injuries were the result of a disproportionate use of force by the authorities. Furthermore, the authorities failed to negotiate with the assailants to secure the hostages' peaceful release and failed to exhaust all peaceful means to resolve the situation. They also argue that Article 2 has been breached since there was no adequate plan for the treatment and medical care of victims and insufficient resources to prevent the loss of life from fire.

412. Turning to the procedural obligations under Article 2, the applicants argue that there has been no effective investigation into the circumstances, causes and manner of death of the victims and punishment of those responsible for using disproportionate lethal force. In this respect the

applicants note that the victims have not been allowed effective access to case materials, and thus that the protection of their interests has been hampered; that there has been no proper investigation into the causes and circumstances in which the people died on 3 September; and that the victims have had no opportunity to submit their arguments to an independent and impartial judicial body with the possibility of seeing those responsible brought to justice.

(b) The applicants in cases 14755/08, 49339/08 and 51313/08

413. This group of applicants complain principally about the State authorities' failure to prevent the occurrence of the terrorist attack upon the school. In particular, no measures had been taken to properly guard the administrative border between North Ossetia and Ingushetia and to ensure the security of large gatherings such as a school ceremony.

414. The applicants in case no. 14755/08 *Dudiyeva and Others* also complain about the failure to take a number of positive steps aimed at protecting the hostages' lives. This includes a failure to negotiate, lack of preparation for the ultimate storming, the use of indiscriminate heavy weapons during the storming and a failure to swiftly contain the fire in the gymnasium.

2. Article 3

415. The applicants in cases 26562/07, 49380/08, 21294/11 and 37096/11 allege in their first application forms that the right guaranteed by Article 3 has been breached in respect of the hostages. Without giving more details, they suggest that cruel and inhuman treatment was inflicted upon them not only by the terrorists, but also by the State officials. Additional suffering has been inflicted upon them by the fact of their being witnesses to the deaths and injuries of their close relatives.

416. In the second application form the applicants argue that the authorities were directly responsible for using weapons upon the school which entailed the deaths of 385 people, including 334 hostages, 186 of them children. The deaths were caused in an extreme and severe manner, through the effect of lethal force and fire in the gymnasium. The violation of this provision was caused further by the failure to provide adequate medical care, to provide for effective fire-fighting, to allow the relatives' access to their deceased family members and to carry out burials in accordance with their wishes and customs; to allow the applicants access to their deceased relatives' full medical records in order to determine the manner and cause of their deaths; and the absence of judicial remedies in respect of the relatives' deaths.

3. Article 6

417. All applicants consider that their rights guaranteed by Article 6 of the Convention have been violated.

(a) The applicants in cases 26562/07, 49380/08, 21294/11 and 37096/11

418. This group of applicants argue in their first application forms, without further details, that they did not have access to a fair trial in the determination of their civil rights.

419. In the second application form, the applicants specify that the alleged breach resulted from the authorities' failure to ensure that they participated effectively and obtained justice in respect of the violent deaths of their kin.

(b) The applicants in cases 14755/08, 49339/08 and 51313/08

420. These applicants complain, in essence, about deficiencies in the criminal proceedings. They argue that the investigation carried out by the General Prosecutor's Office was incomplete and lacked in objectivity in so far as it had failed to establish the circumstances of the hostages' capture and deaths. No officials have been found responsible for the tragic events despite the applicants' numerous submissions to this effect. Finally, the applicants in cases nos. 49339/08 and 51313/08 argue that the North Ossetia Supreme Court failed to include all names of persons who had signed the cassation appeal in its decision of 27 March 2008 (proceedings arising out of the victims' appeal against the investigator's decision not to charge Mr Dzantiyev with crimes within the pending proceedings of criminal case no. 20/849).

4. Article 8

421. The applicants in cases 26562/07, 49380/08, 21294/11 and 37096/11 argue in their initial applications that the right to respect for family life, as guaranteed by Article 8 of the Convention, has been violated in respect of those who have been affected by the tragic events in Beslan.

422. In their second application form the applicants allege a violation of the right to respect for family life under Article 8 of the Convention, relying essentially on the same arguments as under Articles 2 and 6.

5. Article 10

423. The applicants in cases nos. 26562/07, 49380/08, 21294/11 and 37096/11 argue in their initial submissions that there has been a breach of Article 10 in so far as they have been denied unrestricted access to information.

6. Article 13

424. All applicants complain under Article 13 of the Convention about a lack of effective domestic remedies in respect of the violations complained of.

(a) The applicants in cases 26562/07, 49380/08, 21294/11 and 37096/11

425. These applicants argue that they have been unable to exercise their rights as victims in the criminal proceedings, to protect their interests in these proceedings and to claim civil compensation for the losses incurred.

426. In their second application form the applicants add that the authorities failed to investigate properly the deaths of 3 September; failed to

impose adequate sanctions on those responsible for the application of lethal force; failed to force those bearing responsibility for the deaths and injuries to adequately compensate and grant redress to the victims; and, finally, failed to allow the victims' relatives to establish the cause and manner of their deaths.

(b) The applicants in cases 14755/08, 49339/08 and 51313/08

427. These applicants argue that the General Prosecutor's Office failed to carry out a complete and effective investigation within a reasonable time and thus did not identify the officials who should be held responsible. They submit that the investigation's approach was in direct contradiction not only with the law, but also with common sense and the right to a fair trial. They rely on the relevant extracts from the report of the Federation Council which laid the blame for the failures in ensuring the school's security before the attack and during the hold-up primarily on the North Ossetian Ministry of the Interior.

QUESTIONS TO THE PARTIES

COMMON QUESTIONS

1. All applicants listed in Table 1 to the present report are requested to verify the correctness of the spelling of their names and surnames and other personal information. Wherever the complaints were submitted also in respect of other persons, the applicants are asked, prior to the admissibility decision, to specify if these persons should themselves be considered as applicants. In that case they are requested to provide all information and documents necessary to lodge an application. All applicants are requested to refer to the numbering in Table 1.

2. Having regard to the State's positive obligation under Article 2 of the Convention to take measures to protect individuals whose life is at risk from the criminal acts of another individual, where the authorities know or ought to have known of the existence of that risk (see *Osman v. the United Kingdom*, judgment of 28 October 1998, §§ 115-116, *Reports of Judgments and Decisions* 1998-VIII), did the authorities comply with this obligation in the present case?

In particular, did the operative information available prior to the hostage-taking of 1 September 2004 allow the relevant authorities to consider school no. 1 in Beslan during the celebration of the Day of Knowledge as a possible target of a terrorist attack, and more specifically of hostage-taking? Were the preliminary measures taken by the local police and security officials reasonably sufficient to ensure that such hostage-taking did not take place, and that there would be a rapid response in the event of a security alert? Were these precautions fully implemented in practice? Which body and officials were responsible for ensuring the security of the event?

3. Having regard to the procedural protection of the right to life (see paragraph 104 of *Salman v. Turkey* [GC], no. 21986/93, ECHR 2000-VII), was the investigation in the present case by the domestic authorities in breach of Article 2 of the Convention?

In particular, has it established, with sufficient clarity, the circumstances of the hostage-taking and the causes of the victims' deaths and injuries? Have the origins, circumstances and places of the first three explosions in the gymnasium on 3 September 2004 been sufficiently clarified? Have the circumstances of the use of lethal force by State agents been sufficiently clarified in the course of the criminal proceedings (see *Mikheyev v. Russia*, no. 77617/01, §§ 107 et seq., 26 January 2006, and *Assenov and Others v. Bulgaria*, 28 October 1998, §§ 102 et seq., *Reports* 1998-VIII)? Has the decision as to the absence of the event of crime in the military and security servicemen's actions of 3 December 2004 been taken after a thorough, efficient and impartial investigation? Have the materials and conclusions of the investigation been made sufficiently accessible to the victims?

4. Did the applicants have at their disposal effective domestic remedies for their Convention complaints under Article 2, as required by Article 13 of the Convention?

CASE-SPECIFIC QUESTIONS

Cases nos 26562/07, 49380/08, 212994/11 and 37096/11

5. (a) The applicants and representatives in the above four cases are requested to clarify their intent as to whether the single application form submitted by Mr Stephen Kay on 18 October 2011 is extended to all applicants in this group. If this is the case, those applicants who have not presented powers of attorney in the name of Mr Kay (see Table 2) are requested to do so, either directly or through their representatives.

(b) Furthermore, the applicants in the above four cases are asked to nominate one representative to conduct further correspondence with the Court (Rule 36 §§ 2 and 4 (a)).

6. Were the applicants hostages subjected to inhuman and degrading treatment for which the State is responsible? In respect of this group of persons, did the authorities comply with their positive obligations under Article 3, in particular as regards the provision of adequate medical and rescue aid to the victims and as regards effective fire-fighting?

Cases nos 26562/07, 49380/08, 212994/11, 37096/11 and 14755/08

7. Has the right to life, ensured by Article 2 of the Convention, been violated in the present case in respect of those applicants and their relatives who were held hostage on 1-3 September 2004? Did the State authorities on 3 September 2004 employ lethal force which was absolutely necessary for the purposes of paragraph 2 of this Article? Did this lethal force result in the hostages' deaths and injuries?

8. (a) Once the hostage-taking occurred, did the authorities take sufficient precautions in order to protect, to the maximum extent possible, the lives of the hostages? Did they try to bring an end to the crisis through negotiations? Was the Operative Headquarters (OH) strategy aimed at guaranteeing the security of a maximum possible number of persons?

(b) What was the exact composition of the OH? When and by whom has it been appointed? Have all members of the OH been informed, at the relevant time, of their appointments? Has there been a clear division of responsibilities between the members of the OH and other senior officials present in Beslan? How were the decisions of the OH reached, especially about the use of firearms and other weapons?

(c) Was the storming of the school building on 3 September 2004 planned and controlled by the authorities so as to ensure that any risk to the lives of civilian hostages, including the applicants and their relatives, was minimised to the greatest extent possible? Were all feasible precautions taken in the choice of means and methods of the security operation? If not, has there been a violation of the hostages' right to life (see *Isayeva and Others v. Russia*, nos. 57947/00, 57948/00 and 57949/00, § 171, 24 February 2005, or *Isayeva v. Russia*, no. 57950/00, § 175, 24 February 2004)?

(d) Did the OH and other authorities take sufficient steps to prepare the rescue operation, including medical, rescue and fire brigades?

9. The Government are requested to submit all documents which would be relevant to the answers to questions 2- 4 and 6-9. These should, in any event, include copies of the following materials from the criminal investigation file no. 20/849:

- (a) a complete list of documents contained in the criminal investigation file no. 20/849, with indication of their dates, number of pages and the volume of the file where they are contained;
- (b) all decisions to open, adjourn and reopen the investigation, to transfer it from one investigative body to another;
- (c) all decisions related to the opening of separate criminal investigation files; all decisions taken within the course of these proceedings related to charging or not charging particular or unidentified persons with criminal offences;
- (d) all decisions to commission expert reports and copies of such reports (with the exception of reports of medical and/or forensic examinations performed on the hostages);
- (e) copies of letters by which the applicants have been informed of such decisions;
- (f) documents such as reports, protocols, records produced by the various military and security units which had taken part in the operation of 1-3 September 2004 in Beslan, describing the extent of their involvement, the timing, circumstances and quantities of the arms and ammunitions used;
- (g) documents produced by the medical, rescue and fire services relevant to their preparation and involvement in the operation;
- (h) witness statements by the members of OH and other senior officials who had been involved in the operation.

APPENDIX

LIST OF APPLICATIONS

	File No	Case Name	Date of lodging
1.	26562/07	TAGAYEVA AND OTHERS v. Russia	25/06/2007
2.	14755/08	DUDIYEVA AND OTHERS v. Russia	14/02/2008
3.	49339/08	ALBEGOVA AND OTHERS v. Russia	04/09/2008
4.	49380/08	SAVKUYEV AND OTHERS v. Russia	04/09/2008
5.	51313/08	ALIYEVA AND OTHERS v. Russia	22/09/2008
6.	21294/11	KOKOVA AND OTHERS v. Russia	12/03/2011
7.	37096/11	NOGAYEVA AND OTHERS v. Russia	28/05/2011

TABLE 1

26562/07

TAGAYEVA AND OTHERS v. Russia

Represented by Ella Lazarovna
KESAYEVA

	Applicant's name	Date of birth	Place of residence	Represented by no.	POW Moskalenko K.A.	POW Mikhailova O.O.	POW Kesayeva E.L.	POW Bzarova E.D.	POW Steven Kay	Notes
1	Emma Lazarovna TAGAYEVA	04/02/1962	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.			mother of dead Betrozov Alan Ruslanovich 1988 and dead Betrozov Aslan Ruslanovich 1990
2	Lazar Basyatovich TAGAYEV (died 14/06/11 - represented by Alan Lazarovich TAGAYEV no.4)	03/11/1933	Moscow		Moskalenko K.A.					grandfather of dead Betrozov Alan 1988 and dead Betrozov Aslan 1990
3	Zhenya Alimarzayevna TAGAYEVA	12/07/1927	Beslan		Moskalenko K.A.		Kesayeva E.L.			grandmother of dead Betrozov Alan 1988 and dead Betrozov Aslan 1990
4	Alan Lazarovich TAGAYEV	14/02/1967	Beslan		Moskalenko K.A.		Kesayeva E.L.			uncle of dead Betrozov Alan 1988 and dead Betrozov Aslan 1990
5	Valiko Sergeevich MARGIYEV	10/01/1949	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.		Steven Kay	father of dead Margiyeva Elvira Valikoyevna 1992
6	Svetlana Petrovna MARGIYEVA	07/10/1959	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (grave injuries); mother of dead Margiyeva Elvira 1992
7	Taymuraz Petrovich SALKAZANOV	19/05/1956	Beslan		Moskalenko K.A.		Kesayeva E.L.			brother of hostage Margiyeva Svetlana Petrovna 1959 (applicant no. 6) (grave injuries)
8	Kazbek Germanovich TSIRIKHOV	07/02/1964	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		father of dead Tsirikhova Yelizavieta Kazbekovna 1996 and hostage Tsirikhova Zalina Kazbekovna 1993
9	Zhanna Petrovna TSIRIKHOVA	02/11/1967	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage; mother of dead Tsirikhova Yelizavieta Kazbekovna 1995 and hostage Tsirikhova Zalina Kazbekovna 1993
10	Zalina Kazbekovna TSIRIKHOVA	14/06/1993	Beslan	8, 9			Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage
11	Sergey Petrovich BIZIKOV	26/01/1970	Moscow		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		uncle of dead Tsirikhova Yelizavieta Kazbekovna 1996
12	Valeriy Tambiyevich SALKAZANOV	26/02/1960	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.			husband of dead Salkazanova Larisa Tambiyevna 1961 and father of dead Salkazanova Rada Valeryanovna 2000
13	Vera Urus Khanovna SALKAZANOVA (died 23/04/11- legal successor Valeriy Tambiyevich SALKAZANOV 26/02/1960)	01/05/1934	Beslan		Moskalenko K.A.	Mikhailova O.O.				hostage (medium gravity injuries); grandmother of dead Salkazanova Rada Valeryanovna 2000

14	Boris Alekseyevich ILYIN	12/02/1953	Beslan		Moskalenko K.A.		Kesayeva E.L.		Steven Kay	father of dead Normatova Lira Borisovna 1978, grandfather of dead Bakhromov Amirkhan Avazovich 2000 and dead Normatova Zarina Ruslanovna 1997
15	Emiliya Dzambolatovna BZAROVA	16/04/1971	Beslan		Moskalenko K.A.	Mikhailova O.O.				mother of dead Dzarasov Aslanbek Kazbekovich 1994 and hostage Dzarasov Zaurbek Kazbekovich 1993 (medium gravity injuries)
16	Zaurbek Kazbekovich DZARASOV	07/01/1993	Beslan		Moskalenko K.A.		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
17	Ella Lazarovna KESAYEVA	01/09/1963	Beslan		Moskalenko K.A.	Mikhailova O.O.				mother of hostage Kesayeva Zarina Arturovna 1963 (medium gravity injuries)
18	Zarina Arturovna KESAYEVA	11/07/1992	Beslan		Moskalenko K.A.		Kesayeva E.L.			hostage (medium gravity injuries)
19	Raisa Yuryevna KHUADONOVA	12/09/1962	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of dead Khuadonova Regina Kermenovna 1989
20	Elvira Kermenovna KHUADONOVA	05/06/1984	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		sister of dead Khuadonova Regina Kermenovna 1989
21	Nonna Rostikovna TIGIYEVA	26/09/1972	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of dead Tigiyevev Soslan Borisovich 1990 and hostage Tigiyeveva Alana Borisovna 1993 (grave injuries)
22	Boris Strafilovich TIGIYEV	15/03/1972	Moscow		Moskalenko K.A.	Mikhailova O.O.				father of dead Tigiyevev Soslan Borisovich 1990 and hostage Tigiyeveva Alana Borisovna 1993 (grave injuries)
23	Alana Borisovna TIGIYEVA	23/12/1993	Beslan	21, 22			Kesayeva E.L.			hostage (grave injuries)
24	Rima Ramazanovna BETROZOVA	07/04/1957	Vladikavkaz		Moskalenko K.A.					sister of dead Betrozov Ruslan Ramazanovich 1958
25	Zhanna Ramazanovna BETROZOVA	10/11/1967	Lesken		Moskalenko K.A.					sister of dead Betrozov Ruslan Ramazanovich 1958
26	Saveliy Borisovich TORCHINOV	23/12/1963	Beslan		Moskalenko K.A.					father of hostage Torchinova Layma Savelyevna 1995 (medium gravity injuries)
27	Anna Vladimirovna MISIKOVA	12/05/1934	Beslan		Moskalenko K.A.	Mikhailova O.O.				mother of dead Misikov Artur Albertovich 1974, grandmother of hostage Misikov Atsamaz Arturovich 1996
28	Atsamaz Arturovich MISIKOV	15/11/1996	Beslan	27						hostage
29	Oleg Vladimirovich DAUROV	29/04/1962	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		father of dead Daurov Taymuraz Olegovich 1997 and hostage Daurova Diana Olegovna 1994 (medium gravity injuries)
30	Tamara Beslanovna DAUROVA	14/04/1967	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		mother of dead Daurov Taymuraz Olegovich 1997 and hostage Daurova Diana Olegovna 1994 (medium gravity injuries)
31	Diana Olegovna DAUROVA	24/11/1994	Beslan	29, 30						hostage (medium gravity injuries)
32	Aida Yuryevna KHUBETSOVA	05/07/1965	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.	Bzarova E.D.		mother of dead Khubetsova Alina Feliksovna 1993

33	Zoya Khakyashovna AYLAROVA	24/03/1941	Vladikavkaz		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		grandmother of dead Khubetsova Alina Feliksovna 1993
34	Aleksandr Feliksovich KHUBETSOV	03/12/1987	Beslan		Moskalenko K.A.					brother of dead Khubetsova Alina Feliksovna 1993
35	Tamerlan Mazhidovich SAVKUYEV	23/09/1950	Vladikavkaz		Moskalenko K.A.	Mikhailova O.O.				father of dead Savkuyeva Inga Tamerlanovna 1974, grandfather of dead Tomayev Totraz Arturovich 1997
36	Tamara Borisovna GOZOYEVA	16/07/1962	Beslan		Moskalenko K.A.					mother of dead Ktsoyeva Madina Vladimirovna 1992 and hostage Ktsoyev Atsamaz Vladimirovich 1990 (medium gravity injuries)
37	Vladimir Khadzhibatyrovich KTSOYEV	25/03/1953	Beslan		Moskalenko K.A.					father of dead Ktsoyeva Madina Vladimirovna 1992 and hostage Ktsoyev Atsamaz Vladimirovich 1990 (medium gravity injuries)
38	Atsamaz Vladimirovich KTSOYEV	27/04/1990	Beslan	36.37						hostage (medium gravity injuries)
39	Madina Borisovna BDTAYEVA	27/06/1960	Beslan		Moskalenko K.A.		Kesayeva E.L.		Steven Kay	mother of hostages Godzhiyev Amran Slavovich 1989 (medium gravity injuries) and Godzhiyev Kazbek Slavovich 1993 (grave injuries)
40	Kazbek Slavovich GODZHIYEV	08/03/1993	Beslan	39			Kesayeva E.L.		Steven Kay	hostage (grave injuries)
41	Amran Slavovich GODZHIYEV	16/09/1989	Beslan	39	Moskalenko K.A.					hostage (medium gravity injuries)
42	Konstantin Ramazanovich BALIKOYEV (died 25/09/2009 - legal successor Oleg Konstantinovich BALIKOYEV 08/01/1975)	11/10/1938	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.			father of dead Balikoyeva Larisa Konstantinovna
43	Zarema Tazretovna NADGERIYEVA	20/11/1971	Beslan		Moskalenko K.A.					mother of dead Bzykova Agunda Aleksandrovna 1994 and hostage Bzykov Alan Aleksandrovich 1992
44	Alan Aleksandrovich BZYKOV	21/11/1992	Beslan	43						hostage
45	Zamira Vladimirovna BUGULOVA	01/06/1942	Beslan		Moskalenko K.A.					grandmother of dead Dzhimiyev Oleg Kazbekovich 1989
46	Zareta Kudzigoyevna KADOKHOVA	01/06/1933	Beslan		Moskalenko K.A.					grandmother of dead Tsinoyeva Inga Batrazovna 1990
47	Yuriy Kudziyevich KADOKHOV	01/01/1933	Beslan		Moskalenko K.A.					grandfather of dead Tsinoyeva Inga Batrazovna 1990
48	Anna Vasilyevna DZIOVA	16/05/1934	Beslan		Moskalenko K.A.					mother of dead Dziova (Dyambekova) Tamara Indrbekovna 1967, grandmother of dead Dyambekov Mayram Soslanovich 1998 and Dyambekova Luiza Soslanovna 1995
49	Zalina Indrbekovna TEBLOYEVA	04/12/1961	Nogir		Moskalenko K.A.	Mikhailova O.O.				sister of dead Dziova (Dyambekova) Tamara Indrbekovna 1967
50	Fatima Inerbekovna DZIOVA	20/06/1973	Beslan		Moskalenko K.A.					sister of dead Dziova (Dyambekova) Tamara Indrbekovna 1967

51	Razita Dakhtsikovna DEGOYEVA	08/09/1949	Beslan		Moskalenko K.A.					mother of dead Bazrova Dzerassa Yaroslavovna 1990
52	Totraz Umarovich GATSALOV	20/08/1956	Beslan		Moskalenko K.A.		Kesayeva E.L.		Steven Kay	father of dead Gatsalova Agunda Totrazovna 1992
53	Mariya Timofeyevna OZIYEVA	20/08/1956	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		grandmother of dead Oziyev Vadim Sergeyeovich 1995 and hostage Oziev Vladimir Sergeyeovich 1996 (grave injuries)
54	Vladimir Sergeyeovich OZIYEV	23/11/1996	Beslan	53						hostage (grave injuries)
55	Fatima Akhurbekovna MALIKIYEVA	16/05/1961	Beslan		Moskalenko K.A.		Kesayeva E.L.		Steven Kay	mother of dead Malikiyev Arsen Alikovich 1990
56	Alik Batrbekovich MALIKIYEV	15/09/1958	Beslan		Moskalenko K.A.					father of dead Malikiyev Arsen Alikovich 1990
57	Lyudmila Savelyevna GUTNOVA	12/10/1950	Beslan			Mikhailova O.O.	Kesayeva E.L.	Bzarova E.D.		grandmother of dead Gutnov Zaurbek Vladimirovich
58	Zemfira Mayramovna TSIRIKHOVA	10/10/1964	Beslan		Moskalenko K.A.					hostage (medium gravity injuries), mother of dead Urusov Aleksandr Eduardovich 1996 and hostage Urusov Amiran Eduardovich 1993 (medium gravity injuries)
59	Amiran Eduardovich URUSOV	15/09/1993	Beslan	58						hostage (medium gravity injuries)
60	Aksana Khasanbekovna DZAPAROVA	15/03/1968	Beslan		Moskalenko K.A.					hostage (medium gravity injuries), wife of dead Archegov Aslan Feliksovich 1967, mother of hostages Archegova Linda Aslanovna 1998 and Archegov Alibek Aslanovich 1994
61	Linda Aslanovna ARCHEGOVA	29/06/1998	Beslan	60						hostage (medium gravity injuries)
62	Alibek Aslanovich ARCHEGOV	19/03/1994	Beslan	60						hostage (medium gravity injuries)
63	Zalina Konstantinovna SABEYEVA	11/11/1961	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		mother of dead Sabeyeva Ilona Maksimovna 1989
64	Mzevinari Bugdanovna KOKOYTI (former name KOCHISHVILI changed 14/08/2008)	28/11/1948	Beslan		Moskalenko K.A.					mother of dead Kokoyti Bella Martiyayevna 1992
65	Partisan Ramazanovich KODZAYEV	13/03/1939	Beslan		Moskalenko K.A.					husband of dead Kodzayeva Tamara Mikhaylovna 1937
66	Anya Dakhtsykoyevna TOTROVA	08/03/1954	Vladikavkaz		Moskalenko K.A.	Mikhailova O.O.				mother of dead Totrova Marina Ruslanovna 1993
67	Vadim Ruslanovich URTAYEV	08/03/1954	Vladikavkaz		Moskalenko K.A.		Kesayeva E.L.		Steven Kay	brother of dead Totrova Marina Ruslanovna 1993
68	Larisa Silibistrovna KULUMBEGOVA	11/01/1962	Vladikavkaz		Moskalenko K.A.					mother of dead Valigazova Stella Albertovna 1992 and hostage Valigazov Georgiy Albertovich 1994 (medium gravity injuries)

69	Albert Ilyich VALIGAZOV	12/05/1960	Vladikavkaz		Moskalenko K.A.					father of dead Valigazova Stella Albertovna 1992 and hostage Valigazov Georgiy Albertovich 1994 (medium gravity injuries)
70	Vladimir Samsonovich TOMAYEV	21/08/1960	Beslan		Moskalenko K.A.					husband of dead Kudziyeva Zinaida Vladimirovna 1962, father of dead Tomayeva Madina Vladimirovna 1994
71	Vladimir Ilakriyevich KISIYEV (died 23/11/2008 - legal successor Nanuli Vladimirovna KISIYEVA 20/12/1953)	28/12/1949	Vladikavkaz		Moskalenko K.A.	Mikhailova O.O.				father of dead Kisiyev Artur Vladimirovich 1972, grandfather of dead Kisiyev Aslan Arturovich 1997
72	Fatima Beksoltanovna SIDAKOVA	05/11/1968	Beslan		Moskalenko K.A.					hostage (medium gravity injuries), mother of hostages Zangiyeva Albina Albertovna 1997 (medium gravity injuries) and Zanigiyeva Santa Albertovna 1989 (medium gravity injuries)
73	Santa Albertovna ZANGIYEVA	15/04/1989	Beslan	72	Moskalenko K.A.		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
74	Albina Albertovna ZANGIYEVA	18/11/1997	Beslan	72						hostage (medium gravity injuries)
75	Zarina Batrazovna TOKAYEVA	27/10/1976	Beslan		Moskalenko K.A.					hostage (grave injuries)
76	Naira Andreyevna SIUKAYEVA	13/07/1966	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		hostage (medium gravity injuries), mother of hostage Margiyeva alias Margishvili Maya Nodarovna 1991 (medium gravity injuries)
77	Maya Nodarovna MARGIYEVA alias MARGISHVILI (name changed on 08/12/2006)	21/05/1991	Beslan	76			Kesayeva E.L.	Bzarova E.D.		hostage (medium gravity injuries)
78	Fatima Taymurazovna AYLYAROVA	21/11/1963	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of hostages: Aylyarov Aslanbek Borisovich 1989 (medium gravity injuries) and Aylyarov Vyacheslav Borisovich 1987 (medium gravity injuries)
79	Aslanbek Borisovich AYLYAROV	03/04/1990	Beslan	78			Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
80	Vyacheslav Borisovich AYLYAROV	16/09/1987	Beslan	78						hostage (medium gravity injuries)
81	Zalina Kazbekovna KARAYEVA	08/09/1973	Beslan		Moskalenko K.A.					hostage, mother of hostage Bigayev Khasan Batrazovich 1994 (medium gravity injuries)
82	Khasan Batrazovich BIGAYEV	26/03/1994	Beslan	81						hostage (medium gravity injuries)
83	Dali Ilyinichna TIGIYEVA	14/03/1964	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		mother of hostages: Tigiyeva Ketevan Taymurazovna 1987 (medium gravity injuries), Tigiyeva Svetlana Teymurazovna 1992 (medium gravity injuries) and escaped Tigiyeva Tina Taymurazovna 1989
84	Ketevan Taymurazovna TIGIYEVA	02/09/1987	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		hostage (medium gravity injuries)
85	Tina Taymurazovna TIGIYEVA	15/08/1989	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		escaped
86	Svetlana Teymurazovna TIGIYEVA	04/07/1992	Beslan	83						hostage (medium gravity injuries)

87	Fatima Sergeevna USHAKOVA	21/02/1956	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of hostage Ushakova Victoria Victorovna 1992 (grave injuries)
88	Viktor Petrovich USHAKOV	29/01/1956	Beslan		Moskalenko K.A.					father of hostage Ushakova Victoria Victorovna 1992 (grave injuries)
89	Viktoria Viktorovna USHAKOVA	30/01/1992	Beslan	88			Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (grave injuries)
90	Elvira Makharbekovna GAGIYEVA	10/12/1962	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.			hostage (medium gravity injuries), mother of hostages: Khadartseva Zarina Ruslanovna 1993 (medium gravity injuries) and Khadartseva Dzerassa Ruslanovna 1990 (medium gravity injuries)
91	Zarina Ruslanovna KHADARTSEVA	15/02/1993	Beslan	90						hostage (medium gravity injuries)
92	Dzerassa Ruslanovna KHADARTSEVA	30/06/1990	Beslan	90						hostage (medium gravity injuries)
93	Marina Savelyevna UZHEGOVA	12/01/1973	Beslan		Moskalenko K.A.	Mikhailova O.O.				mother of hostage Uzhegova Elena Savelyevna 1994 (medium gravity injuries)
94	Elena Soslanovna UZHEGOVA	12/09/1994	Beslan	93						hostage (medium gravity injuries)
95	Elvira Dmitrovna YESIYEVA	17/07/1969	Beslan		Moskalenko K.A.		Kesayeva E.L.		Steven Kay	mother of hostages: Yesiyev Vladislav Borisovich 1992 (medium gravity injuries) and Yesiyev Alan Borisovich 1994 (grave injuries)
96	Vladislav Borisovich YESIYEV	12/10/1992	Beslan	95			Kesayeva E.L.	Bzarova E.D.		hostage (medium gravity injuries)
97	Alan Borisovich YESIYEV	16/03/1994	Beslan	95						hostage (grave injuries)
98	Bella Vladimirovna TSGOYEVA	06/02/1960	Beslan		Moskalenko K.A.		Kesayeva E.L.			mother of hostage Tsgoyeva Alina Irbekovna 1995 (medium gravity injuries)
99	Alina Irbekovna TSGOYEVA	02/09/1995	Beslan	98						hostage (medium gravity injuries)
100	Irina Ivanovna MALIYEVA	03/08/1958	Beslan		Moskalenko K.A.	Mikhailova O.O.	Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of hostage Khayeva Yana Stanislavovna 1988 (medium gravity injuries)
101	Yana Stanislavovna KHAYEVA	13/10/1988	Beslan	100			Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
102	Svetlana Tembolatovna BIGAYEVA	08/05/1963	Beslan		Moskalenko K.A.		Kesayeva E.L.			hostage (medium gravity injuries)
103	Soslanbek Tamerlanovich BIGAYEV	24/03/1988	Beslan		Moskalenko K.A.		Kesayeva E.L.			hostage (medium gravity injuries)
104	Azamat Tamerlanovich BIGAYEV	01/03/1992	Beslan		Moskalenko K.A.		Kesayeva E.L.			hostage (medium gravity injuries)
105	Georgiy Tamerlanovich BIGAYEV	02/01/1990	Beslan		Moskalenko K.A.					escaped
106	Lyudmila Muratbekovna TORCHINOVA	30/01/1961	Beslan		Moskalenko K.A.		Kesayeva E.L.		Steven Kay	mother of hostage Tortchinov Georgiy Elbrusovich 1993 (medium gravity injuries) and escaped Torchinov Zaurbek Elbrusovich 1989
107	Georgiy Elbrusovich TORCHINOV	25/11/1993	Beslan	106	Moskalenko K.A.		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
108	Zaurbek Elbrusovich TORCHINOV	29/01/1989	Beslan	106			Kesayeva E.L.		Steven Kay	escaped
109	Irina Khadzhimurzaevna PERSAYEVA	16/10/1964	Beslan		Moskalenko K.A.		Kesayeva E.L.		Steven Kay	mother of hostages Persayev Soslan Ruslanovich 1994 (medium gravity injuries), Persayev Aslanbek Ruslanovich 1989 (grave injuries)
110	Soslan Ruslanovich PERSAYEV	01/08/1994	Beslan	109	Moskalenko K.A.		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
111	Aslanbek Ruslanovich PERSAYEV	16/02/1989	Beslan	109					Steven Kay	hostage (grave injuries)

112	Irina Yuryevna DOGUZOVA	20/03/1967	Beslan		Moskalenko K.A.		Kesayeva E.L.			hostage (medium gravity injuries), mother of dead Dzhioyev Artur Akhsarbekovich (Akhsarbegovich) 1995 and survived hostage Dzhioyev Mark Akhsarbekovich (Akhsarbegovich) 1996
113	Mark Akhsarbegovich DZHIOYEV	29/09/1996	Beslan	112						hostage
114	Zarema Nikolayevna BEDOSHVILI	29/10/1964	Beslan		Moskalenko K.A.					mother of dead Bichenov Kazbek Romanovich 1995
115	Roman Ilyich BICHENOV	08/01/1963	Beslan		Moskalenko K.A.					father of dead Bichenov Kazbek Romanovich 1995
116	Murat Yuryevich KATSANOV	28/11/1958	Beslan		Moskalenko K.A.		Kesayeva E.L.			father of dead Katsanova Alana Muratovna 1989
117	Valeriy Aleksandrovich NAZAROV	17/08/1940	Vladikavkaz		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.	Steven Kay	husband of dead Nazarova Nadezhda Ivanovna 1940; father of dead Balandina Natalia Valeryevna 1975; grandfather of dead Balandin Aleksandr Aleksandrovich 1995 and dead Nazarova Anastasiya Gennadiyevna 1994;
118	Yelena Eduardovna NAZAROVA (daughter-in-law of 117)	28/06/1967	Beslan	117						hostage (medium gravity injuries)
119	Irina Zaurbekovna MORGOYEVA	15/12/1955	Beslan		Moskalenko K.A.		Kesayeva E.L.			mother of dead Khayeva Emma Vladislavovna 1992
120	Rita Andreyevna KACHMAZOVA	09/05/1959	Beslan		Moskalenko K.A.		Kesayeva E.L.			mother of hostage Kachmazova Amina Dzambolatovna 1996 (grave injuries)
121	Amina Dzambolatovna KACHMAZOVA	14/09/1996	Beslan	119						hostage (grave injuries)
122	Rigina Nikolayevna KUSAYEVA	09/12/1973	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries); mother of hostages Kusayeva Izeta Kazbekovna 1995 and Kusayev Fidar Kazbekovich 2000 (grave injuries)
123	Izeta Kazbekovna KUSAYEVA	01/09/1995	Beslan	122						hostage
124	Fidar Kazbekovich KUSAYEV	14/05/2000	Beslan	122						hostage (grave injuries)
125	Larisa Agubeyevna KUDZIYEVA	14/05/1964	Nogir		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		hostage (grave injuries); mother of hostage Kudziyev Zaurbek Tamerlanovich 1997 (medium gravity injuries)
126	Lyudmila Petrovna TSEBOYEVA	18/12/1956	Beslan		Moskalenko K.A.		Kesayeva E.L.			hostage (medium gravity injuries); mother of hostage Tseboyeva Lyana Vladimirovna 1992 (medium gravity injuries)
127	Lyana Vladimirovna TSEBOYEVA	11/09/1992	Beslan	126						hostage (medium gravity injuries)
128	Irina Kambolatovna DZHIBILOVA	11/12/1936	Beslan		Moskalenko K.A.		Kesayeva E.L.			grandmother of dead Dzhibilov Boris Ruslanovich 1995 and dead Dzhibilova Alana Ruslanovna 1992

129	Aleksandra Andreyevna KHUBAYEVA	14/08/1950	Beslan		Moskalenko K.A.		Kesayeva E.L.	Bzarova E.D.		mother of dead Khubayeva Madina Anatolyevna 1972
130	Alma Tsarayevna KHAMITSEVA	07/04/1965	Beslan		Moskalenko K.A.		Kesayeva E.L.			sister of dead Chedzhemova Lemma Tsarayevna 1962

14755/08

DUDIYEVA AND OTHERS v. Russia

Represented by Mikhail Ivanovich
TREPASHKIN

	Applicant's name	Date of birth	Place of residence	POW	Notes
1	Susanna Petrovna DUDIYEVA	12/07/1961	Beslan	1	mother of dead Dudiyev Zaur 1991
2	Aneta Nikolayevna GADIYEVA	16/06/1963	Vladikavkaz	1	hostage; mother of dead Dogan Alana 1995
3	Rita Batrazovna SIDAKOVA	30/05/1959	Beslan	1	mother of dead Dudiyeva Alla 1995
4	Viktor Nikolayevich YESIYEV	18/07/1938	Vladikavkaz	1	father of dead Yesiyev Elbrus Viktorovich 1967
5	Elvira Khadzimurzayevna TUAYEVA	06/01/1962	Beslan	1	hostage (medium gravity injuries); mother of dead Tuayeva Karina Georgiyevna 1992 and Tuayev Khetag Gergiyevich 1993
6	Rimma Taymurazovna TORCHINOVA	26/12/1965	Beslan	1	mother of dead Gumetsova Aza Aleksandrovna 1992
7	Rita Kaspolatovna TECHIYEVA	13/05/1960	Beslan	1	mother of dead Rubayev Khasan Kazbekovich 1990
8	Aleftina Aslanovna KHANAYEVA	10/11/1970	Beslan	1	hostage (medium gravity injuries); mother of dead Ramonova Marianna 1989
9	Svetlana Petrovna TSGOYEVA	07/02/1938	Beslan	1	grandmother of dead Albegova Zalina 1995
10	Larisa Dzateyevna MAMITOVA	02/11/1959	Vladikavkaz	1	hostage (grave injuries); mother of hostage Toguzov Tamerlan 1991 (medium gravity injuries)
11	Zalina Zelimkhanovna GUBUROVA	24/07/1964	Beslan	1	mother of dead Guburov Soslan Vladimirovich 1995 and daughter of dead Daurova Zinaida Nikolayevna 1935
12	Zalina Shamilovna BADOYEVA	08/04/1961	Vladikavkaz	1	sister of dead Badoyev Akhtemir Shamilyevich 1957
13	Zema Khestanovna TOKOVA	20/06/1963	Beslan	1	mother of dead Godzhiyev Roman 1990

49339/08

ALBEGOVA AND OTHERS v. Russia

Represented by Mikhail Ivanovich
TREPASHKIN

	Applicant's name	Date of birth	Place of residence	PO W	Notes
1	Albina Kazbekovna ALBEGOVA	06/10/1972	Beslan	1	mother of dead Albegova Zalina Tamerlanovna 1995
2	Kazbek Eduardovich ADYRKHAYEV	29/08/1971	Beslan	1	husband of dead Alikova Zara Alikovna 1966; father of dead Galayeva Alina Umatgireyevna 1989 and Adyrkhayev Albert Kazbekovich 2001
3	Filisa Mukhtarovna BATAGOVA	23/07/1948	Beslan	1	hostage (medium gravity injuries)
4	Svetlana Khairbekovna BEROYEVA	24/07/1949	Beslan	1	grandmother of dead Tokmayev Aslan Alanovich 1994 and dead Tokmayev Soslan Alanovich 1994
5	Alla Albegovna BIBOYEVA	29/09/1958	Beslan	1	mother of dead Batagov Timur Soslanbekovich 1991
6	Zalina Georgiyevna BEROYEVA	12/03/1974	Beslan	1	mother of dead Tokmayev Aslan Alanovich 1994 and Tokmayev Soslan Alanovich 1994
7	Zarema Ramazanovna GADIYEVA	10/03/1938	Beslan	1	mother of dead Gadiyeva-Goloyeva Fatima Taymurazovna 1975
8	Kanna Georgiyevna GAYTOVA	04/09/1963	Beslan	1	mother of dead Gaytov Alan Zaurbekovich 1998 and hostage Gaytova Yelena Zaurbekovna 1992 (medium gravity injuries)
9	Polina Ramazanovna GASINOVA	03/01/1938	Beslan	1	mother of dead Gasinova Emma Lazarevna 1964
10	Marina Soltanbekovna GAPPOYEVA	08/09/1970	Beslan	1	hostage (grave injuries); mother of dead Gappoyeva Dzerassa Ruslanovna 1998 and wife of dead Gappoyev Ruslan Kharitonovich 1970
11	Rafimat Makharbekovna GABOYEVA	10/04/1966	Beslan	1	hostage (light injuries); mother of dead Aylarova Svetlana Yuryevna 1998
12	Marina Umarovna DUDIYEVA	25/04/1967	Beslan	1	daughter of dead Dudiyeva Tina Kharumovna 1939; mother of hostage Kudzayeva Alina Umarovna 1973
13	Vladimir Khadzhimussayevich DZGOYEV	06/10/1957	Beslan	1	husband of dead Dzgoyeva Anna Mikhaylovna 1957; father of dead Dzgoyeva Olga Vladimirovna 1982 and hostages Dzgoeva Margarita Vladimirovna 1989 (grave injuries) and Dzgoyev Aslanbek Vladimirovich 1990 (medium gravity injuries)
14	Kazbek Khadzhimuratovich DZARASOV	30/04/1969	Beslan	1	hostage (medium gravity injuries); father of dead Dzarasov Aslanbek Kazbekovich 1994 and hostage Dzarasov Zaurbek Kazbekovich 1993 (medium gravity injuries)
15	Lena Soslanbekovna DULAYEVA	25/09/1959	Beslan	1	mother of dead Gugkayeva Inga Viktorovna 1980

16	Akhsarbek Kaspolatovich DUDIYEV	21/01/1966	Vladikavkaz	1	father of dead Dudiyeva Izeta Akhsarbekovna 1997 and Dudiyevev Soslan Akhsarbekovich 1990
17	Elbrus Mikhaylovich DUDIYEV	25/03/1953	Beslan	1	father of dead Dudiyevev Zaur Elbrusovich 1991
18	Rita Mukharbekovna DUDIYEVA	01/01/1967	Vladikavkaz	1	hostage (grave injuries); mother of dead Dudiyeva Izeta Akhsarbekovna 1997 and Dudiyevev Soslan Akhsarbekovich 1990
19	Seyfulmulal DOGAN	09/07/1955	Vladikavkaz	1	father of dead Dogan Alana 1995
20	Alik Soslanbekovich DZGOYEV	02/02/1967	Beslan	1	father of dead Dzgoyeva Zalina Alikovna 1996
21	Fatima Mikhaylovna DUDIYEVA	01/11/1959	Beslan	1	hostage (grave injuries)
22	Anatoliy Mairbekovich KANUKOV	09/09/1965	Nuzal	1	father of dead Kanukova Anzhelika Anatolyevna 1991; husband of hostage Kanukova Zarina Sozrykoyevna 1965 (medium gravity injuries)
23	Fatima Konstantinovna KABISOVA	07/03/1970	Vladikavkaz	1	mother of dead Khadikov Islam Alanovich 1989
24	Madinat Kimovna KARGIYEVA	16/04/1961	Beslan	1	hostage (grave injuries); mother of dead Kastuyeva Zarina Olegovna 1992 and hostage Kastuyev Alan Olegovich 1995 (grave injuries)
25	Tatyana Viktorovna KODZAYEVA	09/11/1968	Beslan	1	hostage (grave injuries); mother of dead Kodzayeva Elina Eduardovna 1995
26	Elbrus Mairbekovich NOGAYEV	17/10/1959	Beslan	1	husband of dead Nogayeva Rita Mukhtarovna 1960 and Nogayeva Ella Elbrusovna 1995
27	Zalina Taymurazovna NOGAYEVA	26/12/1969	Beslan	1	hostage; mother of dead Tokova Alina Aslanovna 1995 and hostage Tokov Albert Aslanovich 1994 (grave injuries)
28	Anzhela Taymurazovna NOGAYEVA	07/05/1980	Beslan	1	hostage (grave injuries); mother of hostage Nogayev Batraz Soslanovich 1998 (medium gravity injuries)
29	Kazbek Filippovich RUBAYEV	05/11/1951	Beslan	1	father of dead Rubayev Khasan Kazbekovich 1990
30	Venera Stepanovna SAMAYEVA	05/05/1936	Zavodskoy	1	mother of dead Muzayeva Fatima Totrbekovna 1968
31	Irina Viktorovna SOSKIYEVA	16/01/1978	Beslan	1	daughter of dead Soskiyeva Olga Nikolayevna 1951
32	Natalya Nikolayevna SALAMOVA	09/08/1940	Beslan	1	mother of dead Dzutseva-Tatrova Alena Akhsarbekovna 1976
33	Georgiy Mayranovich TUAYEV	15/03/1960	Beslan	1	husband of hostage Tuayeva Elvira Khadzimurzayevna 1962 (medium gravity injuries); father of dead Tuayeva Karina Georgiyevna 1992 and Tuayev Khetag Gergiyevich 1993
34	Elbizdiko Gappolayevich TOKHTIYEV	07/03/1952	Vladikavkaz	1	father of dead Tokhtiyev Azamat Elbizdikoyevich 1989

35	Lyudmila Yuryevna KHADZARAGOVA	16/04/1964	Beslan	1	mother of dead Dzhimiyev Oleg Kazbekovich 1989 and hostage Dzhimiyeva Alina Kazbekovna 1992 (medium gravity injuries)
36	Rita Khazbiyevna KHABLIYEVA	19/11/1956	Beslan	1	mother of dead Farniyeva Kristina Alanovna 1988
37	Zalina Taymurazovna KHUZMIYEVA	19/01/1967	Beslan	1	hostage (grave injuries); mother of dead Khuzmiyev Georgiy Alanovich 1996 and Khuzmiyeva Stella Alanovna 1997
38	Tamara Arkadyevna SHOTAYEVA	14/05/1949	Beslan	1	mother of dead Kuchiyeva-Shotayeva Albina Tsarayevna 1973 and grandmother of dead Kuchiyeva Zarina Shamilyevna 1997
39	Ruslan Georgiyevich TSKAYEV	07/09/1969	Beslan	1	husband of dead Tskayeva Fatima Borisovna 1974; father of dead Tskayeva Kristina Ruslanovna 1994 and hostages Tskayev Makharbek Ruslanovich 2001 and Tskayeva Alena Ruslanovna 2004
40	German Kantemirovich TSGOYEV	15/08/1959	Beslan	1	husband of dead Biboyeva Fatima Albegovna 1967; father of hostages Tsgoyev Aleksandr Germanovich 1997 (medium gravity injuries) and Tsgoyeva Valeriya Germanovna 2000 (grave injuries)
41	Elza Viktorovna TSABIYEVA	21/12/1967	Beslan	1	mother of dead Pliyeva Alana Vazhayevna 1993 and hostage Pliyeva Zalina Vazhayevna 1996 (grave injuries)
42	Svetlana Yuryevna TSINOYEVA	06/09/1964	Vladikavkaz	1	mother of dead Tsinoyeva Inga Batrazovna 1990

49380/08

SAVKUYEV AND OTHERS v. Russia

Represented by Ella Lazarovna
KESAYEVA

	Applicant's name	Date of birth	Place of residence	Represented by no.	POW Moskalenko K.A.	POW Kesayeva E.L.	POW Bzarova E.D.	POW Steven Kay	Notes
1	Timur Tamerlanovich SAVKUYEV	16/09/1981	Beslan			Kesayeva E.L.		Steven Kay	brother of dead Savkuyeva Inga Tamerlanovna 1974
2	Marina Partizanovna KODZAYEVA	21/05/1970	Vladikavkaz		Moskalenko K.A.	Kesayeva E.L. (Mikhailova O.M.)			daughter of dead Kodzayeva Tamara Mikhailovna 1937; mother of hostage Tatonov Gleb Olegovich 2000 (grave injuries)
3	Gleb Olegovich TATONOV	07/12/2000	Beslan	2	*				hostage (grave injuries)
4	Gennadiy Valentinovich BELYAKOV	14/02/1961	Beslan			Kesayeva E.L.		Steven Kay	son of dead Kodzayeva Tamara Mikhailovna 1937
5	Svetlana Ramazanovna BOKOYEVA	25/02/1962	Beslan			Kesayeva E.L.	Bzarova E.D.		mother of hostages Bokoyeva Marina Valeryevna 1989 (grave injuries) and Bokoyeva Zaira Valeryevna 1993 (medium gravity injuries)
6	Marina Valeryevna BOKOYEVA	06/01/1989	Beslan	5					hostage (grave injuries)
7	Zaira Valeryevna BOKOYEVA	17/12/1993	Beslan	5					hostage (medium gravity injuries)
8	Zemfira Aslanovna AGAYEVA	11/06/1971	Beslan			Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries); mother of hostage Agayev Aleksandr Tamerlanovich 1993 (medium gravity injuries) and dead Agayev Georgiy (Zhorik) Tamerlanovich 1996
9	Aleksandr Tamerlanovich AGAYEV	20/05/1993	Beslan	8		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
10	Marita Borisovna MAMSUROVA	24/02/1962	Beslan			Kesayeva E.L.			hostage (medium gravity injuries)
11	Zarina Valeryevna KHADIKOVA	10/04/1990	Beslan			Kesayeva E.L.			hostage (medium gravity injuries)
12	Atsamaz Karaseyevich DZAGOYEV	09/12/1941	Beslan			Kesayeva E.L.		Steven Kay	father of hostage Dzagoyev Chermen Atsamazovich 1997 (medium gravity injuries), husband of dead Dzagoyeva Zhanna Gorgayevna 1963
13	Chermen Atsamazovich DZAGOYEV	22/09/1997	Beslan	12	*				hostage (medium gravity injuries)
14	Venera Dzappuyevna KAZAKHOVA	15/05/1938	Vladikavkaz						mother of dead Dzagoyeva Zhanna Gorgayevna 1963
15	Roza Urus Khanovna BEKOYEVA	05/05/1959	Beslan			Kesayeva E.L.			mother of hostages Tsorayeva Alina Olegovna 1992 (grave injuries) and Tsorayev Zaurbek Olegovich 1990 (medium gravity injuries)
16	Alina Olegovna TSORAYEVA	22/06/1992	Beslan	15					hostage (grave injuries)
17	Zaurbek Olegovich TSORAYEV	14/03/1990	Beslan	15					hostage (medium gravity injuries)
18	Klara Karaseyevna DZAGOYEVA	08/03/1957	Vladikavkaz			Kesayeva E.L.		Steven Kay	mother of hostage Kibizova Viktoriya Norvegovna 1987 (medium gravity injuries)

19	Larisa Dmitriyevna DZAGOYEVA	25/08/1949	Beslan			Kesayeva E.L.		Steven Kay	mother of dead Dzagoyeva Irma Valeryevna 1980
20	Irina Valeryevna DZAGOYEVA	25/03/1988	Beslan			Kesayeva E.L.		Steven Kay	hostage
21	Alina Anatolyevna SAKIYEVA	25/07/1987	Beslan			Kesayeva E.L.			hostage (medium gravity injuries)
22	Marina Muratbekovna DARCHIYEVA	19/10/1967	Beslan			Kesayeva E.L.			hostage (medium gravity injuries); mother of hostages Darchiyev Akhsarbek Batrazovich 1996 (medium gravity injuries) and Darchiyeva Yelena Batrazovna 1992 (medium gravity injuries)
23	Akhsarbek Batrazovich DARCHIYEV	28/05/1996	Beslan	22		*			hostage (medium gravity injuries)
24	Yelena Batrazovna DARCHIYEVA	11/04/1992	Beslan	22					hostage (medium gravity injuries)
25	Zhanna Borisovna KOZYREVA	17/02/1964	Beslan			Kesayeva E.L.			mother of hostage Kozyrev Zaurbek Taymurazovich 1994 (grave injuries)
26	Anna Uruzmagovna ALIKOVA	12/09/1954	Beslan			Kesayeva E.L.			hostage (light injuries)
27	Oksana Elbrusovna DZAMPAYEVA	15/12/1976	Beslan			Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries); mother of hostage Dzampayeva Irlanda Ruslanovna 1997 (medium gravity injuries)
28	Irlanda Ruslanovna DZAMPAYEVA	09/02/1997	Beslan	27		*			hostage (medium gravity injuries)
29	Zarina Murikovna MORGOYEVA	22/05/1975	Beslan			Kesayeva E.L.			mother of hostage Morgoyev Soslan Alanovich 1995 (medium gravity injuries)
30	Soslan Alanovich MORGOYEV	23/07/1995	Beslan	29		*			hostage (medium gravity injuries)
31	Fatima Muradiyevna URTAYEVA	07/03/1962	Beslan			Kesayeva E.L.			mother of hostage Tetov Alan Vadimovich 1992 (medium gravity injuries) and dead Tetova Agunda Vadimovna 1991 and dead Tetova Alina Vadimovna 1992
32	Alan Vadimovich TETOV	10/08/1992	Beslan	31					hostage (medium gravity injuries)
33	Zalina Yermakovna DULAYEVA	28/12/1965	Beslan			Kesayeva E.L.			mother of dead Tsabolov Marat Alanovich 1994
34	Mariya Ivanovna ARCHEGOVA	24/04/1946	Beslan			Kesayeva E.L.			mother of dead Archegov Aslan Feliksovich 1967
35	Tamara Bekovna MORGOYEVA	24/04/1946	Beslan			Kesayeva E.L.	Bzarova E.D.		mother of hostages Dzarasov Aslan Olegovich 1990 (medium gravity injuries) and Dzarasov Soslan Olegovich 1992
36	Aslan Olegovich DZARASOV	03/09/1990	Beslan	35					hostage (medium gravity injuries)
37	Soslan Olegovich DZARASOV	02/07/1992	Beslan	35					hostage
38	Vinera Kharitonovna CHIKHTISOVA	06/08/1960	Beslan			Kesayeva E.L.			mother of hostage Chikhtisov Batraz Kazbulatovich 1993
39	Batraz Kazbulatovich CHIKHTISOV	29/12/1993	Beslan	38					hostage
40	Alan Mairovich KHADIKOV	13/02/1965	Beslan			Kesayeva E.L.			father of dead Khadikov Islam Alanovich 1989
41	Tamusya Totrazovna BEROZOVA	08/09/1959	Beslan			Kesayeva E.L.			mother of hostages Gutiyev Artur Kazbekovich 1989 (medium gravity injuries) and Gutiyeva Diana Kazbekovna 1991 (medium gravity injuries)
42	Artur Kazbekovich GUTIYEV	10/10/1989	Beslan	41					hostage (medium gravity injuries)

43	Diana Kazbekovna GUTIYEVA	17/06/1991	Beslan	41		Kesayeva E.L.(not signed)		Steven Kay	hostage (medium gravity injuries)
44	Fatima Georgiyevna GUTIYEVA	18/04/1961	Beslan			Kesayeva E.L.			hostage (medium gravity injuries)
45	Zhanna Ladeyeva DZEBOYEVA	24/10/1960	Vladikavkaz			Kesayeva E.L.			hostage; mother of hostage Dzandarova Diana Valeryevna 1995 (medium gravity injuries)
46	Diana Valeryevna DZANDAROVA	26/06/1995	Vladikavkaz	45		*			hostage (medium gravity injuries)
47	Irina Borisovna BEKUZAROVA	08/03/1964	Beslan			Kesayeva E.L.			hostage (medium gravity injuries); mother of hostage Khudalova Madina Batrazovna 1997 and dead Khudalov Beksoltan Batrazovich 1997
48	Madina Batrazovna KHUDALOVA	12/06/1997	Beslan	47		*			hostage
49	Bella Vasilyevna KHUDALOVA	12/04/1964	Beslan			Kesayeva E.L.			mother of hostage Khudalov Islam Makharbekovich 1992 (medium gravity injuries)
50	Islam Makharbekovich KHUDALOV	08/04/1992	Beslan	49					hostage (medium gravity injuries)
51	Galina Izmaylovna KUDZIYEVA	18/02/1962	Beslan			Kesayeva E.L.			hostage (grave injuries); mother of dead Daguyeva Karina Soslanovna 1988
52	Lyudmila Nikolayevna KORNAYEVA	27/03/1954	Beslan			Kesayeva E.L.			mother of hostages Kusova Dzerassa Aslanbekovna 1988 (medium gravity injuries), Kusova Fatima Aslanbekovna 1990 (medium gravity injuries) and dead Kusova Madina Aslanbekovna 1993
53	Dzerassa Aslanbekovna KUSOVA	10/10/1988	Beslan	52		Kesayeva E.L.			hostage (medium gravity injuries)
54	Fatima Aslanbekovna KUSOVA	26/04/1990	Beslan	52		Kesayeva E.L.			hostage (medium gravity injuries)
55	Lyudmila Salamonovna KOKAYEVA	14/02/1957	Beslan			Kesayeva E.L.			hostage (medium gravity injuries); mother of hostage Kokayev Soslan Borisovich 1990 (medium gravity injuries)
56	Soslan Borisovich KOKAYEV	24/04/1990	Beslan	55		Kesayeva E.L.			hostage (medium gravity injuries)
57	Indira Borisovna KOKAYEVA	23/04/1974	Beslan			Kesayeva E.L.			hostage (medium gravity injuries); mother of hostage Kokayev Alan Aleksandrovich 1998 (medium gravity injuries)
58	Alan Aleksandrovich KOKAYEV	05/11/1998	Beslan	57		*			hostage (medium gravity injuries)
59	Zoya Ibragimovna KTSOYEVA	12/04/1963	Beslan			Kesayeva E.L.			hostage (medium gravity injuries); mother of hostages Eltarov Boris Feliksovich 1988 (medium gravity injuries) and Eltarov Soslan Feliksovich 1991 (medium gravity injuries)
60	Boris Feliksovich ELTAROV	25/12/1988	Beslan	59					hostage (medium gravity injuries)
61	Soslan Feliksovich ELTAROV	13/08/1991	Beslan	59					hostage (medium gravity injuries)
62	Albina Vladimirovna KASTUYEVA	17/08/1966	Beslan			Kesayeva E.L.			hostage (medium gravity injuries); mother of Kastuyeva Zalina Taymurazovna 1997 (medium gravity injuries)
63	Zalina Taymurazovna KASTUYEVA	01/03/1997	Beslan	62		*			hostage (medium gravity injuries)
64	Akhsarbek Elbayevich DZHIOYEV	02/08/1964	Beslan			Kesayeva E.L.			father of dead Dzhioyev Artur Akhsarbekovich 1995

65	Alan Mikhaylovich ADYRKHAYEV	18/10/1963	Beslan					husband of dead Adyrkhayeva Irina Alikovna 1975; father of hostages Adyrkhayeva Milana Alanovna 2000 (medium gravity injuries) and Adyrkhayeva Emiliya Alanovna 1997 (medium gravity injuries)
66	Milana Alanovna ADYRKHAYEVA	13/04/2000	Beslan	65	*			hostage (medium gravity injuries)
67	Emiliya Alanovna ADYRKHAYEVA	07/06/1997	Beslan	65	*			hostage (medium gravity injuries)
68	Marina Alekseyevna PAK	25/11/1965	Beslan			Kesayeva E.L.		mother of dead Tsoy Svetlana Sergeevna 1992
69	Yelena Ippolitovna SMIRNOVA	24/09/1965	Beslan			Kesayeva E.L.		mother of dead Smirnova Inna Olegovna 1988
70	Aleksandra Mikhaylovna SMIRNOVA	02/06/1933	Beslan			Kesayeva E.L.		grandmother of dead Smirnova Alla Yevgenyevna 1989
71	Rita Khristoforovna TIBILOVA	18/02/1963	Beslan			Kesayeva E.L.		mother of dead Gatsalova Agunda Totrazovna 1992
72	Nanuli Vladimirovna KISIYEVA	20/12/1953	Vladikavkaz			Kesayeva E.L.		mother of dead Kisiyev Artur Vladimirovich 1972; grandmother of dead Kisiyev Aslan Arturovich 1997
73	Lyudmila Dzatsoyevna DZAMPAYEVA	10/01/1951	Beslan			Kesayeva E.L.		grandmother of dead Bitsiyev Zaurbek Eduardovich 1996
74	Ruslan Soltanovich GAPPOYEV	25/01/1961	Beslan			Kesayeva E.L.		husband of dead Gappoyeva Naida Magomedshapiyevny 1963; father of hostages Gappoyev Alan Ruslanovich 1997 (grave injuries) and Gappoyev Soslan Ruslanovich 1993 (grave injuries)
75	Alan Ruslanovich GAPPOYEV	24/06/1997	Beslan	74	*			hostage (grave injuries)
76	Soslan Ruslanovich GAPPOYEV	05/05/1993	Beslan	74				hostage (grave injuries)
77	Shorena Giviyevna VALIYEVA	12/03/1974	Beslan			Kesayeva E.L.		hostage (grave injuries); mother of hostage Guldayev Georgiy Albertovich 1998 (grave injuries)
78	Georgiy Albertovich GULDAYEV	06/02/1998	Beslan	77				hostage (grave injuries)
79	Vova Mitushovich GULDAYEV	05/04/1963	Beslan			Kesayeva E.L.		husband of dead Msostova Elza Akimovna 1969; father of dead Guldayeva Olesya Vladimirovna 1992 and hostage Guldayeva Alina Vladimirovna 1993 (grave injuries)
80	Alina Vladimirovna GULDAYEVA	01/07/1993	Beslan	79		Kesayeva E.L.		hostage (grave injuries)
81	Kira Islamovna GULDAYEVA	02/05/1941	Beslan			Kesayeva E.L.		hostage (medium gravity injuries)
82	Zarina Anatolyevna DZAMPAYEVA	10/05/1976	Beslan			Kesayeva E.L.		hostage (medium gravity injuries); mother of dead Bitsiyev Zaurbek Eduardovich 1996
83	Lyubov Nikolayevna SALAMOVA	08/08/1946	Beslan			Kesayeva E.L.		grandmother of dead Alkayev Sergey Dmitriyevich 1989
84	Fatima Petrovna KELEKHSAYEVA	04/08/1964	Brut			Kesayeva E.L.		mother of dead Arsoyeva Sofya Vladimirovna 1990
85	Oksana Valeryevna TSAKHILOVA	25/06/1977	Vladikavkaz			Kesayeva E.L.		sister of dead Nayfonova Svetlana Valeryevna 1972

86	Marina Tasoltanovna KOKOVA	22/11/1974	Beslan			Kesayeva E.L.		Steven Kay	mother of hostages Kokov Shamil Rustamovich 1996 (medium gravity injuries) and Kokova Valeriya Rustamovna 2001
87	Rustam Eduartovich KOKOV	14/07/1974	Beslan			Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
88	Anastasiya Konstantinovna TEBIYEVA	14/04/1948	Beslan			Kesayeva E.L.			representative of hostage Khoziyeva Madina Taymurazovna 1990
89	Zara Vasilyevna GIOYEVA	29/11/1936	Beslan			Kesayeva E.L.			representative (mother) of hostage Tsagarayeva Lyubov Viktorovna 1962 (medium gravity injuries) and (grandmother) Tsagarayev Georgiy Beslanovich 1993 (medium gravity injuries)
90	Sergey Vladimirovich OZIYEV	01/10/1965	Beslan			Kesayeva E.L.			husband of dead Oziyeva Marina Anzorovna 1975; father of dead Oziyev Vadim Sergeevich 1995 and hostage Oziyev Vladimir Sergeevich 1996 (grave injuries)
91	Vladimir Sergeevich OZIYEV	23/11/1996	Beslan	90		*			hostage (grave injuries)
92	Nadezhda Andreyevna ZASEYEVA	08/12/1946	Beslan						mother of dead Oziyeva Marina Anzorovna 1975 and grandmother of dead Oziyev Vadim Sergeevich 1995
93	Lidiya Khazbiyevna KHODOVA	04/01/1953	Beslan			Kesayeva E.L.			hostage; representative of hostage Aylyarov Asakhmat Barsbiyevich 1997 (medium gravity injuries)
94	Asakhmat Barsbiyevich AYLYAROV	27/01/1997	Beslan	93		*			hostage (medium gravity injuries)
95	Lyubov Alekseyevna ZAPOROZHETS	04/05/1966	Beslan			Kesayeva E.L.		Steven Kay	mother of dead Zaporozhets Sergey Aleksandrovich 1992
96	Sergey Zarakhmetovich FRIYEV	27/05/1959	Beslan			Kesayeva E.L.			father of dead Friyeva Yelena Sergeevna 1995 and hostage Friyev Ruslan Sergeevich 1993
97	Ruslan Sergeevich FRIYEV	13/03/1993	Beslan	96		Kesayeva E.L.			hostage
98	Larisa Aslanovna TSGOYEVA	19/12/1969	Beslan			Kesayeva E.L.			wife of dead Dzgoyev Khazbi Khadzhimuratovich 1970

51313/08

ALIYEVA AND OTHERS v. Russia

Represented by Mikhail Ivanovich
TREPASHKIN

	Applicant's name	Date of birth	Place of residence	PO W	Notes
1	Margarita Petrovna ALIYEVA	27/10/1967	Beslan	1	mother of hostages Aliyev Kazbek Izrailovich 1993 (medium gravity injuries) and Aliyev Aslanbek Izrailovich 1993 (medium gravity injuries)
2	Nadezhda Ruslanovna BADOYEVA	22/07/1987	Beslan	1	hostage (grave injuries)
3	Zarema Konstantinovna BADTIYEVA	04/11/1952	Farn	1	mother of dead Badtiyeva Anzhela Valeryevna 1972
4	Valeriy Borisovich BEKUZAROV	11/04/1968	Alaniya	1	husband of dead Bekuzarova Yelena Sergeevna 1974
5	Vladimir Georgiyevich BICHENOV	22/04/1964	Beslan	1	husband of hostage Skayeva Tamara Kizilbekovna 1966 (medium gravity injuries) and father of hostage Bichenov Damir Vladimirovich 1997 (medium gravity injuries)
6	Zarina Igorevna VALIYEVA	20/02/1990	Beslan	1	hostage (medium gravity injuries)
7	Galina Zakharyevna VALIYEVA	08/12/1964	Beslan	1	hostage (medium gravity injuries)
8	David Dzambolatovich VALIYEV	20/02/1989	Beslan	1	hostage (grave injuries)
9	Zinaida Dzarakhmetovna VARZIYEVA	21/08/1955	Alaniya	1	mother of dead Varziyev Erik Elbrusovich 1992
10	Raisa Gavrilovna GABISOVA	21/10/1945	Beslan	1	hostage (medium gravity injuries)
11	Zaurbek Khasbiyevich GAYTOV	24/03/1983	Beslan	1	father of dead Gaytov Alan Zaurbekovich 1988 and hostage Gaytova Yelena Zaurbekovna 1992 (medium gravity injuries)
12	Lyudmila Valeryevna GODZOYEVA	03/11/1968	Vladikavkaz	1	mother of hostages Gabisov Ruslan Sergeevich 1991 (medium gravity injuries) and Gabisov Alan Sergeevich 1993 (medium gravity injuries)
13	Zara Alekseyevna GOZYUMOVA	29/05/1959	Beslan	1	hostage
14	Dzhaba Zaurovich GOLOYEV	29/06/1979	Novyy Batako	1	husband of dead Gadiyeva Fatima Taymurazovna 1975 and father of dead Goloyeva Kristina Dzhabayevna 2002
15	Zarina Valentinovna DAUROVA	18/08/1985	Vladikavkaz	1	hostage (medium gravity injuries)
16	Elochka Nikolayevna DZARASOVA	30/08/1940	Beslan	1	hostage
17	Elza Viktorovna DZEBOYEVA	13/10/1951	Terek	1	hostage (medium gravity injuries)
18	Zoya Ivanovna DZUTSEVA	14/07/1939	Beslan	1	grandmother of dead Tsibirova Tameris Valeryevna 1994 and hostage Tsibirova Amaga Valeryevna 1991 (grave injuries)
19	Lyudmila Akhsarbekovna DZUTSEVA	12/02/1966	Beslan	1	sister of dead Dzutseva-Tatrova Alena Akhsarbekovna 1976
20	Zarina Konstantinovna DZHIBILOVA	21/06/1977	Elkhotovo	1	sister of dead Dzhidzalova Edita Konstantinovna 1976
21	Larisa Viktorovna DIGUROVA	29/09/1964	Beslan	1	mother of hostage Digurov Soslan Mayramovich 1993 (medium gravity injuries)

22	Larisa Mikhailovna DZHUMOK	30/09/1960	Beslan	1	hostage
23	Zara Kemayevna DUDAROVA	06/11/1957	Beslan	1	hostage (medium gravity injuries)
24	Madina Zurabovna DUDAROVA	15/07/1969	Vladikavkaz	1	mother of hostage Dudarov Umar Kazbekovich 2003 (medium gravity injuries)
25	Svetlana Khazbiyevna DZIOVA	31/03/1964	Beslan	1	mother of dead Dziova Dzerassa Aslanbekovna 1990
26	Indira Batrbekovna ITAZOVA	10/10/1971	Beslan	1	mother of hostages Itazov Artur Alanovich 1992 and Itazov Azamat Alanovich 1995 (medium gravity injuries)
27	Marina Fedorovna KALAYEVA	23/08/1972	Vladikavkaz	1	mother of hostage Khudalov Sarmat Alanovich 1995 (medium gravity injuries)
28	Viktoriya Yuryevna KASTUYEVA	25/11/1971	Mikhaylovskoye	1	hostage
29	Raya Kasbulatovna KIBIZOVA	03/02/1942	Beslan	1	hostage
30	Irina Irimbekovna KOKAYEVA	07/01/1970	Beslan	1	mother of hostage Sidakov Alan Taymurazovich 1992 (medium gravity injuries)
31	Teya Martiyevna KOKOYTI	06/01/1975	Beslan	1	sister of dead Kokoyti Bella Martiyevna 1992
32	Zayra Kazbekovna KOKOYEVA	11/10/1972	Beslan	1	hostage; mother of dead Kokoyeva Lyana Kazbekovna 1995 and hostage Kokoyeva Kristina Kazbekovna 1993 (medium gravity injuries)
33	Liana Viktorovna KOKOYEVA	02/07/1977	Kambileyevskoye	1	hostage
34	Rita Aleksandrovna KOMAYEVA	21/05/1960	Beslan	1	hostage ; mother of hostages Gadzhinova Diana Valeryevna 1990 (medium gravity injuries), Gadzhinova Alina Valeryevna 1993 (medium gravity injuries) and Gadzhinova Madina Valeryevna 2001
35	Fatima Andreyevna KOCHIYEVA	13/11/1971	Vladikavkaz	1	hostage: mother of hostages Melikova Larisa Atsamazovna 1999 (medium gravity injuries) and Melikov Soslan Atsamazovich 1999 (medium gravity injuries)
36	Alina Umarovna KUDZAYEVA	20/10/1973	Beslan	1	hostage; mother of hostage Kudzayeva Dzerassa Aslanovna 1997 (medium gravity injuries), Kudzayeva Madina Aslanovna 2002
37	Sergey Indrisovich KTSOYEV	12/08/1969	Beslan	1	father of hostages Ktsoyeva Viktoriya Sergeyevna 1990 (grave injuries) and Ktsoyev Artur Sergeyevich 1995 (medium gravity injuries)
38	Konstantin Dzambolatovich MAMAYEV	25/09/1954	Beslan	1	father of dead Mamayeva Sabina Konstantinovna 1990
39	Kazbek Dmitriyevich MISIKOV	20/03/1961	Beslan	1	hostage (grave injuries); husband of hostage Dzutseva Irina Muratovna 1969 (grave injuries); father of hostages Misikov Batraz Kazbekovich 1989 (light injuries) and Misikov Atsamaz Kazbekovich 1997 (grave injuries)
40	Marina Aleksandrovna MIKHAYLOVA	14/02/1979	Beslan	1	hostage (grave injuries)
41	Natalya Alekseyevna MOKROVA	28/06/1959	Beslan	1	wife of dead Mokrov Vladimir Grigoryevich 1951 and mother of hostage Mokrov Vladislav Vladimirovich 1994 (medium gravity injuries)
42	Tamara Kizilbekovna SKAYEVA	17/10/1966	Beslan	1	hostage (medium gravity injuries)

43	Svetlana Tuganovna SUANOVA	26/08/1963	Beslan	1	hostage (medium gravity injuries)
44	Larisa Aslanovna TOMAYEVA	14/02/1971	Beslan	1	hostage; mother of hostages Tomayev Azamat Kazbekovich 1993 (medium gravity injuries) and Tomayeva Kristina Kazbekovna 1995 (medium gravity injuries)
45	Larisa Muratovna TORCHINOVA	11/09/1965	Vladikavkaz	1	mother of hostages Torchinova Diana Soslanbekovna 1993 (medium gravity injuries) and Torchinova Madina Soslanbekovna 1991 (medium gravity injuries)
46	Alan Vladimirovich URMANOV	04/08/1974	Beslan	1	father of dead Urmanova Maria Alanovna 1995
47	Lidiya Adamovna URMANOVA	19/04/1950	Beslan	1	mother to dead Urmanova-Rudik Larisa Vladimirovna 1972; mother-in-law to dead Urmanova Rita Sergeevna 1965; grandmother to dead Urmanova Zalina Sergeevna 1998, Rudik Yana Sergeevna 1992, Rudik Yulia Sergeevna 1990, Urmanova Maria Alanovna 1995
48	Tatyana Batrazovna FARDZINOVA	17/02/1957	Beslan	1	mother of hostage Fardzinov Zaurbek Igorevich 1990 (medium gravity injuries)
49	Tamara Vladislavovna KHAYEVA	15/05/1987	Beslan	1	sister of dead Khayeva Emma Vladislavovna 1992
50	Aleta Khasanbekovna KHASIYEVA	03/05/1962	Beslan	1	hostage
51	Marina Anatolyevna KHUBAYEVA	06/07/1975	Beslan	1	sister of dead Khubayeva Madina Anatolyevna 1972
52	Batraz Bimbolatovich KHUDALOV	12/05/1964	Beslan	1	father of hostage Khudalova Madina Batrazovna 1997 and dead Khudalov Beksoltan Batrazovich 1997
53	Zalina Makharbekovna KHUDALOVA	10/04/1972	Beslan	1	wife of dead Khudalov Elbrus Dzambolatovich 1951; mother of dead Khudalov Georgiy Elbrusovich 1994
54	Anzhela Georgiyevna KHUMAROVA	23/02/1972	Beslan	1	hostage (grave injuries); mother of hostage Khumarov Timur Ruslanovich 1997 (medium gravity injuries)
55	Fatima Aslanbekovna TSAGARAYEVA	04/08/1964	Beslan	1	hostage; mother of hostages Murtazova Diana Muratbekovna 1990 (grave injuries), Murtazova Viktoriya Murtambekovna 1992 (medium gravity injuries) and Murtazova Madina Muratbekovna 1997 (medium gravity injuries)
56	Svetlana Lukmanovna KHUTSISTOVA	16/08/1953	Beslan	1	mother of dead Khutsistov Azamat Borisovich 1978
57	Rimma Kahasanbekovna TSOMARTOVA	10/08/1944	Beslan	1	hostage (medium gravity injuries); grandmother of hostages Fardzinova Zhaklin Kazbekovna 1994 (medium gravity injuries) and Fardzinov Alan Kazbekovich 1996 (medium gravity injuries)
58	Olga Viktorovna SHCHERBININA	18/10/1956	Beslan	1	hostage (light injuries)

21294/11

KOKOVA AND OTHERS v. Russia

Represented by Ella Lazarovna KESAYEVA

	Applicant's name	Date of birth	Place of residence	Represented by	POW Kesayeva E.L.	POW Bzarova E.D.	POW Steven Kay	Notes
1	Tereza Bornafovna KOKOVA	29/04/1966	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries); mother of hostages Alana Aslanovna KOKOVA 1993 (medium gravity injuries) and Batraz Aslanovich KOKOV 1995 (medium gravity injuries)
2	Alana Aslanovna KOKOVA	13/12/1993	Beslan	Tereza Bornafovna KOKOVA 1966	Kesayeva E.L.			hostage (medium gravity injuries)
3	Batraz Aslanovich KOKOV	29/03/1995	Beslan	Tereza Bornafovna KOKOVA 1966	Kesayeva E.L.			hostage (medium gravity injuries)
4	Mairbek Batrazovich VARZIYEV	21/05/1996	Beslan	Sima Khadzhimurzayevna VARZIYEVA 1949	Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
5	Aleksandr Arturovich CHEDZHEMOV	30/09/1992	Beslan	Zhanna Alekseyevna KALAGOVA 1960	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (grave injuries)
6	Lidiya Spiridonovna RUBAYEVA	27/01/1938	Beslan		Kesayeva E.L.		Steven Kay	mother of dead Artur Bekmurzayevich Rubayev 1963
7	Artur Elbrusovich TSAGARAYEV	22/11/1991	Beslan	Berta Batrbekovna TSAGARAYEVA 1960	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
8	Vadim Elbrusovich TSAGARAYEV	07/01/1994	Beslan	Berta Batrbekovna TSAGARAYEVA 1960	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
9	Alina Arturovna KANUKOVA	08/02/1990	Beslan	Zhanna Misostovna KANUKOVA 1961	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
10	Inal Arturovich KANUKOV	06/01/1992	Beslan	Zhanna Misostovna KANUKOVA 1961	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage
11	Soslan Eduardovich MARGIYEV	20/10/1991	Beslan	Irina Sergeevna DIAKONASHVILI 1973	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
12	Andzhela Mikhaylovna KODZAYEVA	16/07/1971	Beslan		Kesayeva E.L.		Steven Kay	hostage (light injuries)
13	Diana Viktorovna AGAYEVA	18/12/1996	Beslan	Andzhela Mikhaylovna KODZAYEVA 1971	Kesayeva E.L.			hostage (medium gravity injuries)
14	Bella Kazbekovna NUGZAROVA	13/10/1993	Beslan	Fatima Izmaylovna TSALIKOVA 1970	Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
15	Soslan Ruslanovich KANUKOV	09/07/1991	Beslan	Aza Khazbiyevna KANUKOVA 1961	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
16	Yelena Vasilyevna ZAMESOVA	11/01/1972	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of dead Natalya Yuryevna Zamesova 1994 and Igor Yuryevich Zamesov 1992
17	Raisa Aleksandrovna ZHUKAYEVA	27/04/1942	Beslan		Kesayeva E.L.		Steven Kay	hostage
18	Soslan Eduardovich DZUGAYEV	19/12/1991	Beslan	Alla Konstantinovna BUBLIKOVA 1937	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
19	Ksenya Khusenovna TEBIYEVA	26/11/1952	Beslan		Kesayeva E.L.		Steven Kay	mother of dead Alma Beksoltanovna Tebiyeva 1991
20	Fatima Kharitonovna BITSIYEVA	01/11/1945	Beslan		Kesayeva E.L.		Steven Kay	grandmother of dead Bitsiyev Zaurbek Eduardovich 1996

21	Sergey Petrovich ZHUKAYEV	25/03/1969	Beslan		Kesayeva E.L.		Steven Kay	husband of dead Marina Kirillovna Zhukayeva 1973 and father of hostages Madina Sergeevna ZHUKAYEVA 1996 (grave injuries) and Albina Sergeevna ZHUKAYEVA 1997 (medium gravity injuries)
22	Madina Sergeevna ZHUKAYEVA	26/12/1996	Beslan	Sergey Petrovich ZHUKAYEV 1969	Kesayeva E.L.			hostage (grave injuries)
23	Albina Sergeevna ZHUKAYEVA	04/12/1997	Beslan	Sergey Petrovich ZHUKAYEV 1969	Kesayeva E.L.			hostage (medium gravity injuries)
24	Azamat Tamerlanovich TETOV	30/10/1994	Beslan	Valentina Vladimirovna TETOVA 1971	Kesayeva E.L.		Steven Kay	hostage (grave injuries)
25	Tatyana Moiseyevna TETOVA	21/05/1940	Beslan	Valentina Vladimirovna TETOVA 1971	Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
26	Liliya Muratovna KHAMATKOYEVA	23/10/1969	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	daughter of dead Rimma Daurbekovna Khamatkoyeva 1938 and mother of hostages Luiza Olegovna URUSOVA 1993 (medium gravity injuries) and Zarina Olegovna URUSOVA 1995 (medium gravity injuries)
27	Luiza Olegovna URUSOVA	01/08/1993	Beslan	Liliya Muratovna KHAMATKOYEVA 1969	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
28	Zarina Olegovna URUSOVA	15/02/1995	Beslan	Liliya Muratovna KHAMATKOYEVA 1969	Kesayeva E.L.			hostage (medium gravity injuries)
29	Zemfira Suleymanovna DZANDAROVA	19/06/1972	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries), mother of hostages Ruslan Lanzbergovich DZANDAROV 1991 and Viktoriya Lanzbergovna DZANDAROVA 1997
30	Ruslan Lanzbergovich DZANDAROV	02/09/1991	Beslan	Zemfira Suleymanovna DZANDAROVA 1972	Kesayeva E.L.		Steven Kay	hostage (grave injuries)
31	Viktoriya Lanzbergovna DZANDAROVA	11/04/1997	Beslan	Zemfira Suleymanovna DZANDAROVA 1972	Kesayeva E.L.			hostage (medium gravity injuries)
32	Sima Makharbekovna ALBEGOVA	30/03/1949	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (grave injuries)
33	Yelena Romanovna DZUSOVA	12/06/1965	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	daughter of hostage Taisya Bimbolatovna Dauyeva 1938 (dead 09/08/2006); mother of hostages Ilona Georgiyevna DZUSOVA 1995, Alikhan Georgiyevich DZUSOV 1996; tutor of Roman Sergeevich BZIYEV 1998 (medium gravity injuries) and Boris Sergeevich BZIYEV 2001
34	Roman Sergeevich BZIYEV	28/01/1998	Beslan	Yelena Romanovna DZUSOVA 1965	Kesayeva E.L.			hostage (medium gravity injuries); son of dead Dinara Nikolayevna Pliyeva (Bziyeva) 1964; grandchild of hostage Taisya Bimbolatovna Dauyeva 1938 (dead 09/08/2006)
35	Boris Sergeevich BZIYEV	14/11/2001	Beslan	Yelena Romanovna DZUSOVA 1965	Kesayeva E.L.			hostage; son of dead Dinara Nikolayevna Pliyeva (Bziyeva) 1964; grandchild of hostage Taisya Bimbolatovna Dauyeva 1938 (09/08/2006)
36	Alikhan Georgiyevich DZUSOV	26/12/1996	Beslan	Yelena Romanovna DZUSOVA 1965	Kesayeva E.L.			hostage; grandchild of hostage Taisya Bimbolatovna Dauyeva 1938 (dead 09/08/2006)
37	Ilona Georgiyevna DZUSOVA	25/05/1995	Beslan	Yelena Romanovna DZUSOVA 1965	Kesayeva E.L.			hostage; grandchild of hostage Taisya Bimbolatovna Dauyeva 1938 (dead 09/08/2006)
38	Agunda Ruslanovna VATAYEVA	25/11/1990	Beslan		Kesayeva E.L.		Steven Kay	hostage (grave injuries); daughter of dead Gulemdan Khadzhimukhamedovna Vatayeva 1951
39	Yelizaveta Ruslanovna VATAYEVA	21/09/1985	Beslan		Kesayeva E.L.		Steven Kay	daughter of dead Gulemdan Khadzhimukhamedovna Vatayeva 1951

40	Alan Iosifovich KODZAYEV	21/11/1996	Beslan	Zalina Muratovna KODZAYEVA 1974	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
41	Inna Elbrusovna DZANAYEVA	13/09/1990	Beslan	Nina Vladimirovna DZANAYEVA 1964	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
42	Natalya Nikolayevna SALAMOVA	09/08/1940	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of dead Alena Akhsarbkovna Tatrova 1976
43	Khetag Tamerlanovich GUTIYEV	03/07/1988	Beslan	Fatima Georgiyevna GUTIYEVA 1961	Kesayeva E.L.		Steven Kay	escaped
44	Azamat Tamerlanovich GUTIYEV	24/01/1992	Beslan	Fatima Georgiyevna GUTIYEVA 1961	Kesayeva E.L.		Steven Kay	escaped
45	Zarina Igorevna KASTUYEVA	22/04/1993	Beslan	Albina Borisovna URTAJEVA 1968	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
46	Tamara Borisovna BEROYEVA	20/04/1938	Beslan		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
47	Vladimir Ibragimovich GUBIYEV	18/10/1994	Beslan	Rita Mikhaylovna GUBIYEVA 1958	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
48	Bela Ibragimovna GUBIYEVA	28/12/1991	Beslan	Rita Mikhaylovna GUBIYEVA 1958	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
49	Chermen Batrazovich PLIYEV	23/10/1995	Beslan	Tatyana Grigoryevna PLIYEVA 1968	Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)

37096/11

NOGAYEVA AND OTHERS v. Russia

Represented by Ella Lazarovna
KESAYEVA

	Applicant's name	Date of birth	Place of residence	Represented by	POW Kesayeva E.L.	POW Bzarova E.D.	POW Steven Kay	Notes
1	Fatima Ruslanovna NOGAYEVA	20/08/1988	Beslan		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
2	Aida Borisovna TSIRIKHOVA	26/06/1968	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of hostage Rozita Leonidovna Mordas Tsirikhova 1993 (medium gravity injuries)
3	Rozita Leonidovna MORDAS TSIRIKHOVA	21/10/1993	Beslan		Kesayeva E.L.			hostage (medium gravity injuries)
4	Lyudmila Aleksandrovna GAPPOYEVA	24/01/1941	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of dead Ruslan Kharitonovich Gappoyev 1970
5	Inga Khazbiyevna KHAREBOVA	15/09/1974	Beslan		Kesayeva E.L.		Steven Kay	mother of hostage Arsen Kazbekovich Kharebov 1995 (medium gravity injuries)
6	Arsen Kazbekovich KHAREBOV	28/09/1995	Beslan	Inga Khazbiyevna KHAREBOVA	*			hostage (medium gravity injuries)
7	Svetlana Timofeevna DZHERIYEVA	01/06/1964	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries); mother of hostage Dana Kazbekovna Chedzhemova 1997 (medium gravity injuries)
8	Dana Kazbekovna CHEDZHEMOVA	18/07/1997	Beslan	Svetlana Timofeevna DZHERIYEVA	*			hostage (medium gravity injuries)
9	Albina Soslanbekovna SAKIYEVA	26/01/1968	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of hostage Rustam Alanovich Kabaloyev 1993 (grave injuries)
10	Rustam Alanovich KABALOYEV	20/06/1993	Beslan	Albina Soslanbekovna SAKIYEVA	Kesayeva E.L.		Steven Kay	hostage (grave injuries)
11	Lalita Ruslanovna URTAYEVA	29/06/1979	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries); mother of hostage Taymuraz Anatolyevich Urtayev 1996
12	Taymuraz Anatolyevich URTAYEV	28/09/1996	Beslan	Lalita Ruslanovna URTAYEVA	*	Bzarova E.D.		hostage
13	Amest Mesrobovna SARIBEKYAN	18/08/1965	Beslan		Kesayeva E.L.		Steven Kay	mother of hostages: Siranush Ashotovna Simonyan 1987 (medium gravity injuries), Mariam Ashotovna Simonyan 1991 (grave injuries), Ovannes Ashotovich Simonyan 1993 (light injuries)
14	Siranush Ashotovna SIMONYAN	16/04/1987	Beslan		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
15	Mariam Ashotovna SIMONYAN	06/01/1991	Beslan		Kesayeva E.L.		Steven Kay	hostage (grave injuries)
16	Ovannes Ashotovich SIMONYAN	03/09/1993	Beslan		Kesayeva E.L.			hostage (light injuries)
17	Zarina Ruslanovna PUKHAYEVA	05/04/1979	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries); mother of hostage Gennadiy Ibragimovich Pukhayev 1997 (medium gravity injuries)

18	Gennadiy Ibragimovich PUKHAYEV	25/03/1997	Beslan	Zarina Ruslanovna PUKHAYEVA	*			hostage (medium gravity injuries)
19	Olga Ivanovna KUBATAYEVA	08/12/1967	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of hostage Vladimir Ruslanovich Kubatayev 1989 (medium gravity injuries)
20	Vladimir Ruslanovich KUBATAYEV	27/04/1989	Beslan		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
21	Yelena Osmanovna TSALLAGOVA	02/12/1968	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of hostage David Alanovich Tsallagov 1993
22	David Alanovich TSALLAGOV	19/09/1993	Beslan		Kesayeva E.L.			hostage
23	Serafima Georgiyevna BASIYEVA	03/01/1960	Beslan		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries); mother of hostages Azamat Yuryevich Bekoyev 1989 (medium gravity injuries) and Atsamaz Yuryevich Bekoyev 1993 (medium gravity injuries)
24	Azamat Yuryevich BEKOYEV	08/12/1989	Beslan					hostage (medium gravity injuries)
25	Atsamaz Yuryevich BEKOYEV	17/05/1993	Beslan					hostage (medium gravity injuries)
26	Tamara Murzabekovna GABISOVA	07/05/1963	Beslan		Kesayeva E.L.		Steven Kay	mother of hostage Arsen Kazbekovich Gabisov 1995 (medium gravity injuries)
27	Arsen Kazbekovich GABISOV	28/07/1995	Beslan	Tamara Murzabekovna GABISOVA	*			hostage (medium gravity injuries)
28	Larisa Murzabekovna DZAMPAYEVA	30/09/1959	Beslan		Kesayeva E.L.		Steven Kay	hostage; mother of hostage Dzerassa Borisovna Dzampayeva-Gabisova 1995
29	Dzerassa Borisovna DZAMPAYEVA-GABISOVA	31/10/1995	Beslan	Larisa Murzabekovna DZAMPAYEVA	*			hostage
30	Madina Taymurazovna TOKAYEVA	21/10/1988	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (grave injuries)
31	Daniya Mirzayevna BEDOYEVA	14/12/1958	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of hostage David Georgiyevich Bedoyev 1992 (medium gravity injuries)
32	David Georgiyevich BEDOYEV	17/10/1992	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries)
33	Irina Izmailovna PARSIYEVA	21/11/1963	Beslan		Kesayeva E.L.		Steven Kay	mother of hostage Anzhelika Germanovna Parsiyeva 1990 (grave injuries)
34	Anzhelika Germanovna PARSIYEVA	30/07/1990	Beslan		Kesayeva E.L.		Steven Kay	hostage (grave injuries)
35	Raisa Zaurbekovna TOTIYEVA	01/08/1960	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of dead Larisa Taymurazovna Totiyeva 1990, Lyubov Taymurazovna Totiyeva 1992, Albina Taymurazovna Totiyeva 1993, Boris Taymurazovich Totiyev 1996
36	Ruslan Kermenovich KHUADONOV	15/03/1986	Beslan		Kesayeva E.L.		Steven Kay	brother of dead Regina Kermenovna Khuadonova 1989
37	Zalina Georgiyevna BIGAYEVA	25/12/1974	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage (medium gravity injuries); mother of hostages Madina Eduardovna Bigayeva 1996 and Alina Eduardovna Bigayeva 1998

38	Madina Eduardovna BIGAYEVA	07/08/1996	Beslan	Zalina Georgiyevna BIGAYEVA	*			hostage (medium gravity injuries)
39	Alina Eduardovna BIGAYEVA	09/01/1998	Beslan	Zalina Georgiyevna BIGAYEVA	*			hostage (medium gravity injuries)

40	Zalina Shamilyevna BAGAYEVA	05/03/1961	Beslan		Kesayeva E.L.		Steven Kay	mother of hostages Madina Olegovna Azimova 1992 and Marina Olegovna Azimova 1991
41	Madina Olegovna AZIMOVA	25/12/1992	Beslan	Zalina Shamilyevna BAGAYEVA	Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
42	Marina Olegovna AZIMOVA	03/04/1991	Beslan	Zalina Shamilyevna BAGAYEVA	Kesayeva E.L.		Steven Kay	hostage
43	Tamaz Georgiyevich KHUGAYEV	07/10/1958	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	father of hostages Tsezar Tamazovich Khugayev 1991 (medium gravity injuries) and Albina Tamazovna Khugayeva 1992 (grave injuries)
44	Tsezar Tamazovich KHUGAYEV	21/09/1991	Beslan		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
45	Albina Tamazovna KHUGAYEVA	29/11/1992	Beslan		Kesayeva E.L.		Steven Kay	hostage (grave injuries)
46	Anzhela Giviyevna KHANIKAYEVA	26/11/1968	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of hostage Borislav Soslanovich Khadikov 1993 (medium gravity injuries)
47	Borislav Soslanovich KHADIKOV	19/06/1993	Beslan		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
48	Fatima Alibanovna KUSOVA	16/09/1959	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother of hostage Georgiy Konstantinovich Ilyin 1996 (medium gravity injuries)
49	Georgiy Konstantinovich ILYIN	29/11/1996	Beslan	Fatima Alibanovna KUSOVA	*			hostage (medium gravity injuries)
50	Zareta Taukanovna KARGIYEVA	20/03/1941	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	mother in law of of dead Khubayeva Madina Anatolyevna 1972 and grandmother of dead Rusland Igorevich Khubayev 1993
51	Igor Kazbekovich KARGIYEV	25/05/1965	Beslan	Zareta Taukanovna KARGIYEVA	Kesayeva E.L.		Steven Kay	husband of dead Khubayeva Madina Anatolyevna 1972 and father of dead Rusland Igorevich Khubayev 1993
52	Svetlana Khadzhimurzayevna DZODZIYEVA	19/10/1969	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	hostage; mother of hostages Georgiy Vasilyevich Peliyev 1991 (medium gravity injuries) and Zarina Vasilyevna Peliyeva 1995
53	Georgiy Vasilyevich PELIYEV	30/07/1991	Beslan		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries)
54	Zarina Vasilyevna PELIYEVA	21/04/1995	Beslan	Svetlana Khadzhimurzayevna DZODZIYEVA	*			hostage
55	Larisa Tarkanovna SABANOVA	01/03/1952	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	daughter of dead Tarkan Gabuliyevich Sabanov 1915
56	Fatima Tarkanovna SABANOVA	28/03/1948	Beslan		Kesayeva E.L.	Bzarova E.D.	Steven Kay	daughter of dead Tarkan Gabuliyevich Sabanov 1915
57	Vladimir Zasharbekovich DAUROV	13/03/1969	Beslan		Kesayeva E.L.		Steven Kay	hostage (medium gravity injuries); father of dead David Vladimirovich Daurov 1994

TABLE 2

No.	Name	Number of applicants	POW Moskalenko K.A.	POW Mikhailova O.O.	POW Kesayeva E.L.	POW Bzarova E.D.	POW Steven Kay	POW Trepashkin M.I.
26562/07	TAGAYEVA AND OTHERS v. Russia	130	96	24	66	31	29	
14755/08	DUDIYEVA AND OTHERS v. Russia	13						13
49339/08	ALBEGOVA AND OTHERS v. Russia	42						42
49380/08	SAVKUYEV AND OTHERS v. Russia	98	1	1	80	3	13	
51313/08	ALIYEVA AND OTHERS v. Russia	58						58
21294/11	KOKOVA AND OTHERS v. Russia	49			49	22	38	
37096/11	NOGAYEVA AND OTHERS v. Russia	57			55	21	42	
	TOTALS	447	97	25	250	77	122	113