

The Impact of the Instability and Impunity Problem Associated with Ethnic Diversity on Regional Security: The Case of Dagestan

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Abstract

Dagestan today is one of the most experienced republics in the North Caucasus Region concerning handling and familiarity with weapons. The most important factor in having this culture is the political crises and events that took place during the Soviet period. It is believed that the source of weapons in the country is Chechnya, and there have been historical reasons underlying this, as well as unique political institutions that have been developed in parallel with ethnic diversity since the 1990s. Based on the fact that the influence of the Russian Federation⁴ on other countries that left the Union of Soviet Socialist Republics⁵ (USSR) has not been lost even many years before the start of the Ukrainian-Russian war, the possibility of shaking the stability that Dagestan has relatively provided nowadays comes to the agenda. As much as the presence of these groups makes the people of Dagestan nervous, it threatens the entire geography in terms of the loss of stability in the region, the ignition of a significant conflict in the Caucasus, and, therefore, the countries of the region will also be affected by this conflict. Considering the political and ethnic structure of Dagestan, the government's attempts to collect weapons, rather than maintaining order and increasing public security, cause a group with high conflict potential to collect weapons from the hands of another high-potential group, creating the perception that the tool of this is political power. This study is based on the data obtained by literature review with qualitative methods.

Key Words: The Problem of Impunity, Ethnicity, Wahhabism, the North Caucasus, Dagestan

Etnik Çeřitlilikle Gelen İstikrarsızlık ve Cezasızlık Sorununun Bölgesel Güvenliğe Etkisi: Dađistan Örneđi

Öz

Dađistan bugün Kuzey Kafkasya Bölgesinde silah kullanma ve silaha aşına olma konusunda en tecrübeli cumhuriyetlerden biridir. Bu kültüre sahip olmasında en önemli etken ise Sovyet döneminde yaşanan siyasi krizler ve olaylar olarak kabul görür. Ülkedeki silah kaynağının Çeçenistan olduđu düşünölmektedir ve bunun da altında yatan tarihi nedenlerin yanı sıra 1990'lardan itibaren etnik çeřitliliđe paralel olarak geliştirilen benzersiz siyasi kurumlar olmuştur. Dađistan'da Cemaat olarak ifade bulan, etnik kökene göre şekillenen aşiretler bu siyasi kurumlar ile entegrasyon sağlamış dolayısıyla bölgede savaş niteliđi kazanmayan çatışmalar haricinde büyük krizlere neden olacak sorunlar şimdiye kadar yaşanmamıştır. Ukrayna-Rusya savaşının başlamasından yıllar önce dahi Rusya Federasyonu'nun, Sovyet Sosyalist Cumhuriyetler Birliđi'nden (SSCB) ayrılan diđer ülkelerde etkisinin kaybolmadıđı gerçeđinden hareketle bugünlerde Dađistan'ın görece sağlamış olduđu istikrarın sarsılma ihtimali gündeme gelmektedir. Bu grupların varlıđı Dađistan halkını tedirgin ettiđi kadar bölgede istikrarın kaybolması, Kafkaslarda önemli bir çatışmanın ateşlenmesi dolayısıyla bölge ülkelerinin de bu çatışmadan etkilenmesi açısından tüm coğrafyayı tehdit etmektedir. Dađistan'ın siyasi ve etnik yapısı göze alındıđında hükümetin uygulamış olduđu silah toplama girişimleri düzeni sağlamak ve kamu güvenliđini arttırmaktan çok çatışma potansiyeli yüksek bir grubun diđer yüksek potansiyelli grubun elinden silahları toplatması, bunun aracının da siyasi güç olduđu algısını yaratmaktadır. Bu çalışma nitel yöntemler ile literatür taraması yapılarak elde edilen verilere dayanmaktadır.

Anahtar Kelimeler: Cezasızlık Sorunu, Etnisite, Vahhabilik, Kuzey Kafkasya, Dađistan

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Introduction

After the Gulistan Peace Treaty of 1813 between Russia and Iran, Dagestan, officially part of the Russian Empire, integrated into the Empire on the 19th Dec. it began with century. It is seen that this integration took place gradually during the Caucasian wars that lasted for many years. As of this period, Dagestan Oblast became a part of the Russian Empire, and a military governor was appointed to the region. The Russian Revolution of 1917 exerted its influence in Dagestan, as in other regions. The people's congress of Dagestan was held in the capital Buinaksk (its name was Temir-Khan-Shura in those years). The Declaration on the Autonomy of Dagestan was announced (Kisriev, 2018, p. 1-4). Dagestan, which maintained its autonomy until perestroika, which was called reconstruction during the Mikhail Gorbachev Era, became a region where objections and rebellion against the political elite, directly under the guidance of Moscow, began in 1989. This is how the control that Moscow lost through the reconstruction policy showed its face in Dagestan. At the heart of the constitution, which was drawn up in 1994, were the political elites of Moscow and multi-ethnic Dagestan, who ultimately withdrew from the administration and had to fend for themselves. The filling material that closed the deep gaps caused by socio-cultural differences among the people was the arrangement of the Council of State, which was adopted as the highest authority consisting of 14 members instead of electing a single president to lead the country. This different and single political administration managed to prevent border conflicts with neighbors in a multi-ethnic society dominated by Islamic ideology, to build a community that could coexist despite many socio-cultural differences. Dec. as of 1998, the "Kolesnikov purges" began with the motive of restoring Russia's influence over Dagestan. The period of the Russian Deputy Interior Minister General Vladimir Kolesnikov, chairman of the delegation in 1998 Daghestani Muslims spiritual Saidmahomed-haji-abubakarov in the month of September of the same year in the wake of the killing of the terrorist attack on Parkhomenko Street Mahackale 16 people were killed, 90 wounded because of Dagestan began arresting some of the most important political figures. These politicians; The deputy Parliament of Dagestan and the leader of the Lak National Movement Magomed Khachilayev, the Chairman of the Makhachkala Provincial Assembly Makhmudgajiev, the chairman of Zapkasrybvod Magomedov, the Minister of Foreign Affairs of Dagestan were such names as Bizhamov. The mayor of Kaspiysk Gajimuradov, the deputy of the Parliament of Dagestan and the head of the Pension Fund Musaev also took part in the accused side of a judicial investigation. In the investigation conducted by the Russian Prosecutor General's Office into the incident, an arrest warrant was issued for 37 high-ranking Dagestani officials. In the end, all the political elites, except for Mahmudgajiev, against whom an investigation was opened and a decision was made to arrest, were released. After these purges, significant changes occurred in the previous political order established in Dagestan. After that, another development that disrupted the political order was the war that Chechnya opened on Dagestan with the desire to unite the two countries.

Method

This study emphasizes the unity of belief, which is seen as the only reason for the disappearance of the differences created or thought to be created by ethnic diversity in Dagestan, which is an autonomous republic in the North Caucasus, and how this unity of belief can become radicalized due to ethnic differences. The feature of living together and sharing privacy is the basic founding principle of society. While the underlying token of this principle in Dagestan is Islam, it has led to radicalization among those who seize political power within the country and those who do not. Another factor of radicalization has been the neighboring autonomous republics, which have the same origin as one or more ethnic structures within the country. The problem of radicalization, which the central government also securitized, has become an issue that the center is trying to solve by adding harsher practices to its historical policies. Apart from this, this problem has opened the door to the easy applicability of violence within the country's own society and has caused political stability to be on a slippery ground. This study has focused on all these problems in total. To reach the source of the problems and to search the relevant literature, to examine in detail the field studies of the authors who are thought to represent the separate perspectives created by the perception of "us and them" on the region and to interpret the results of these authors in an impartial way, to examine the official reports of international organizations on the relevant region. was the method of the study.

Universe – Sample

The diversity of ethnies living in the North Caucasus and the relations of these ethnies with each other, the multitude of problems that they had experienced with the central government since the Tsarist period, were considered as the universe of the study, and the fact that if each of these problems were to be handled separately, the fact that it would push the limits of determination has emerged. Therefore, it was thought that the most important of these problems was the difference of belief and ethnic diversity, and Dagestan, which would become an important security problem in the region after Chechnya, was chosen as a sample. The main motivation for choosing this sample is the concern that Dagestan, which is known to be more ethnically diverse compared to other regions, is a "half-extinct volcano" that is sleeping quietly for now. The dynamics that will bring the region to the point of explosion are not only internal dynamics, but also external effects. With its current state, Dagestan deserves attention as an example area that will significantly shape regional security today.

Data Collection

Tools In this study, quantitative and qualitative studies of authors who have done anthropological and ethnic studies on the North Caucasus, especially in Dagestan, have been examined. In addition, the reports about the problems experienced by this region and the reflection of the problems on regional security and the international arena have been used as data based on not being independent of international law.

Analysis of Data

In the analysis of the data, in the analysis of the data, the interpretation of the reports and the court decisions regarding the region, the results obtained by the literature review, the regional reflection of the understanding of security in the discipline of international relations and international law, human rights law, ethnicity studies, and the brief history of the region were interpreted.

Findings**Ethnic Diversity and Brief History in Dagestan**

The region with the largest number of ethnic groups in the North Caucasus is the Republic of Dagestan. It must be due to this feature that it is impossible to talk about the existence of a core element or a "dominant nation" in the country. In the study conducted by Tishkov and Filippova on the North Caucasus shortly after the collapse of the Soviet Union, 28% of the people known as the indigenous people of the country and called "Dagestan Highlanders" consisted of Avars, 16.2% Dargins, 13% Kumyks, 12.5% Lezgis, 5% Lacs, 4.7% Tabasarans, 0.8% Rutuls, 0.8% Ağuls, 0.3% Chahurs. they are telling. Apart from this structure, they also draw attention to the fact that Nogais are 1.6%, Russians are 7.1%, Azerbaijani Turks are 4.3%, Tatars are 0.4%, Chechens are 4.5% of the population in the country's territory (Tishkov & Filippova, 2000, p. 2).

Dagestan is a country where this diversity prevails as well as its economic deprivation. It is known that the country was depicted as a miniature Soviet Union on the verge of disintegration due to the juxtaposition of these two features. Dagestan, which hosts more than 34 ethno-language groups, is the most ethnically heterogeneous among the republics of the Russian Federation and the poorest after Chechnya (Ware & Kiriev, 2001, p. 105). Apart from these two features that make Dagestan disadvantageous, the fact that Makhachkala, the capital of Russia, where the great railway junction passes, also has the only commercial and military port in the Caspian Sea that does not freeze, increases the strategic importance of the country (Tishkov & Filippova, 2000, p. 2-3). This geopolitical importance of the country has attracted the attention of the Soviet Union and the Russian Federation since the Tsarist Period. The fact that areas such as the Anapa region, which was used as a base in the Caucasus, were left to the Russians, especially after the Ottoman-Russian War, which took place between 1828-1829 and ended with the Edirne Treaty, caused the reaction of the North Caucasian peoples in this region. Therefore, the resistance of these peoples in the North Caucasus, as Muslim societies, in order not to be under Russian protection has also begun (Çaycıoğlu, 2021, p. 203). As soon as Russia came out of the wars with Iran in 1826-1828 and with the Ottoman Empire in the following years, it spent its energy to subdue the "mountainous people" in this area. The Commander of the Independent Caucasus Corps, General Paskevic, tried to create a plan on these peoples in line with the order of Tsar Nicholas I (Tsursumia, 2018, p. 119-123). Many of the policies developed for the peoples to come under Russian

domination were that these peoples, who were warlike and fond of freedom, could make concessions on their religious beliefs (Baddeley, 1908, p. 224-226). In particular, Yermolov, who was brought to the Caucasus Commander-in-Chief, and Velyaminov, who participated in the Caucasus expeditions, could not calculate that the peoples, whom they thought would be the subject of concessions, would later instrumentalize a philosophy they called "Gazavat (Muridism)" (Baddeley, 1908, p. 160-193) against Russification. In fact, the "gazavat movement", which was declared by Sheikh Mansur as a reaction to the politics implemented in the region by General Potyomkin, who was appointed to the Caucasus Regency in 1785, began to experience its second phase in the 1800s. It would be correct to say that the movement was nourished by a philosophy that blended the feelings of patriotism and freedom mixed with the teachings of "sharia" and "tariqa" (Uludağ, 2006, p. 49-52).

On the other hand, according to Berje, one of the main elements of the reaction developed against the mentioned Russification policies is that the Lezgis, the oldest settlers of the region, have turned the direction of aggression among themselves into a common enemy. Berje, who said that the indigenous people, who were exiled to Dagestan by the Khazars since the 8th century and called themselves Lezgi (Leki, Lekzi), were in the form of tribes that were separated, uncompromising and hostile to each other, and that they did not develop their capacity to act together, he said that these people were still in unity from time to time and commemorates Shamil, who provided unity (Berje, 2010, p. 107-109). However, the real leader and imam of this unity among the people is Gazi Muhammad, who was born in the village of Girmi in Dagestan and is also referred to in Russian sources as Gazi Mullah. Mohammad Yaragi, who first gave a spiritual character to the "murshidism" movement in Dagestan, pioneered the emergence of both Gazi Molla and Sheikh Shamil as important figures in Dagestan, where he tried to prevent the invasion by the Russians (Ozsaray, 1998, p. 98).

Today, the philosophical approach these figures laid the foundations has long been practiced in the North Caucasus, where more than 90 percent of the population is Muslim - 97 percent Sunni and 3 percent Shia, as an anti-Russification action at that time and is deeply intertwined with the Dagestani identity. This understanding has been successfully integrated into the secular system of Dagestan; its spiritual councils have become semi-state institutions. The practice of Sufism was banned during the Soviet era, but as Soviet rule eroded during the Perestroika period of the 1980s, Disciplism revived. At the end of the Soviet era, some religious students took advantage of the new open borders policy to study in the Middle East, bringing back Salafism, which they perceived as a "purer" Islam. Salafists argue that God is sovereign and Muslims should submit only to Islamic law and not adhere to any institution that has an ideological basis other than the Koran and the Sunnah, condemn moral degradation, social injustice and corruption. While claiming the oneness of God, Salafists have also Decried Disciplism, which they consider allies of the government and whose religious practices include adherence to sufism and respecting and valuing the awliyas, who are considered idolaters by Salafists. Salafism, which is also observed in other regions of the North Caucasus, is generally considered radical by the Federal and local authorities and refers to Salafi Muslims as Wahhabis.

It is a fact that Dagestan has become a "frozen problem" for the countries in the region, especially the Russian Federation, and indeed for the entire international system. Ethnic diversity and the anti-Russification reaction have a lot of influence on the basis of the fact that what is happening in this region is a threat to both international law, international relations and regional security, along with the extremism of the philosophy on which the struggling figures in the history of the region are based.

The Background of the Conflict and the Uneasy Atmosphere in Dagestan

Unrest and insurgent movements in Dagestan have been an important part of the upheaval that has characterized the North Caucasus region for the Russian Federation since the collapse of the Soviet Union in 1991. Before that, the oppression and wrong policies applied during the Tsarist Period also caused the unrest. Especially II. Adolf Hitler promised independence to the Muslims living in the Soviet Union during World War II, to the peoples who collaborated with the Germans during the occupation, and Stalin preferred to relax the anti-religious policies of the Soviets in order to prevent the reflexes that this promise would create. Stalin's political maneuver was reciprocated, and Christian and Islamic leaders cooperated and met on a common denominator of supranational patriotism. During the period, three muftis offices were established for Muslims in the Soviet Union. The first one was established in Baku to represent the Shiite Muslims in the South Caucasus, the second one in Tashkent to represent the Sunni Muslims in Central Asia, and the third one was established in Buinaksk, Dagestan in 1944 to represent the

Sunni Muslims in the North Caucasus. The Buinask Muftiate was soon moved to Makhachkala (Ware & Kisriev, 2010, p. 88). So much so that this initiative has provided an important religious prosperity in the Muslim peoples. According to Yemelianova, in the Northeastern Caucasus and in the Fergana Valley, there was at least one unofficial mosque in almost every village, and in general, the number of unofficial mosques was significantly higher than the number of registered mosques. For example, in the 1970s, in addition to five official mosques, 292 unofficial mosques were functioning in Chechen-Ingushetia. In Central Asia, 230 registered mosques coexisted with at least 1,800 unofficial mosques. Nevertheless, since this religious freedom granted did not completely eliminate Soviet repressions, there could be no mention of a forgotten or disappeared enemy for the Muslim people. It is because of this perception that “murshidism”, today referred to as Sufi orders, kept Islam alive in the villages of Dagestan (Yemelianova, 2003, p. 50-51).

The patriotic propaganda and pro-Islamic concessions of the Soviets effectively prevented Muslims from cooperating with the Germans. It is known that millions of Muslims responded positively to the muftis' call for jihad against German aggression. In fact, the North Caucasus produced more “Soviet heroes” than any other Soviet region at that time. According to some authors, this situation has increased the identification of Muslims with Russia (Ware & Kisriev, 2010, p. 88).

In the post-Soviet period, there were two separatist wars in Chechnya and sporadic clashes in other regions of the North Caucasus, in particular in the Prigorodny region of North Ossetia, Ingushetia and Kabardino-Balkaria. The largest number of casualties in these clashes, both by the rebels and the security forces, were inflicted in Dagestan. The history of the ideas of jihad or holy war in Dagestan dates back to 1992, when Bagautdin Magomedov (Kebedov), known as the “father of the Dagestani idea of jihad”, founded a Koranic school in Kizilyurt, a town in Dagestan. In 1996, Magomedov openly called for a holy war against the “infidels”. Disciple of the Salafi movement in Dagestan between Sufis and Salafis religious conflict has led to the driven begin to spread, and toward the end of 1996, the official religious institution of Sufi leaders in the dominance of its predecessor, becoming openly hostile supporters. Said Mohammad Haji Abubakarov, who was the head of the official pro-government Muslim Spiritual Delegation at that time, made a speech in which he said, “Every Muslim who kills a Wahhabist enters Paradise.” Therefore, Dagestan has started to be remembered today with a Russian hostility that has actually remained from the Tsarist Era and has not yet completely disappeared, as well as the hostility of groups that claim to have the same faith among themselves to each other.

Bagautdin Magomedov and many of his supporters fled to Chechnya, and Chechnya was used as a base where there were training camps and financial support was provided to promote Islamic fundamentalism, including in Dagestan. In the period between the two Chechen wars, from 1997 to 1999, Islamists shuttled between the two republics. On 7 August 1999 Magomedov two closely linked fighters called “Sharia state” and proclaimed Karamakhi and Cabanmakhi to support 1.500-2.000 armed Arab, Chechen and Dagestani a group of fighters invaded Dagestan, however, Russian troops firing by the forces of the militant months later, has launched a major military operations into the second Chechen war in Chechnya. The Republic of Dagestan remained a rebel region after that.

In short, the main factor contributing to the destabilization of the region until the 1990s - and 2000s was Chechen separatism. Later, around 2009-2010, there were activities of militants fighting to establish the Caucasus Emirate in Dagestan, Chechnya and Ingushetia, which significantly worsened the situation (Kaliszewska, 2019, p. 163). Armed groups (or a number of armed gangs pretending to be members of these groups) have found the easiest way to raise money for jihad is to threaten businessmen. The resistance of local shop owners to these groups resulted in the burning of their shops. These jihadist groups called the taverns in the region “sauna” and it is likely that the purpose of giving this name was that they saw taverns as the source of moral decadence. Nevertheless, it is worth noting that there is no exact information about why they are referred to by this name. It would be wrong to say that the state has no response to the violence created by these groups. The Federal Security Service (FSB, Federal army) conducted the fight against terrorism largely by resorting to extrajudicial arrests and killings (Kaliszewska, 2019, p. 165). This situation was not limited only to state officials, therefore, this violence became significantly widespread in the North Caucasus, and also began to pose a risk to the region as a de-secured area (Ware & Kisriev, 2009, p. 39-42). On the other hand, the fact that the instability of the region and the existence of conflicting groups are evaluated through the concept of “impunity” draws attention to the fact that the practices or measures of both the FSB and the autonomous administration are incomplete. The aggravation of the state's practices at the level of oppression against its citizens and abuse of its power

strengthens the hand of people who commit violations at the personal level and at the group level against the state. In case of state excesses, perpetrators can get rid of the responsibility for their crimes as a result of improper practices. As a result of this situation, it turns out to be getting rid of accountability for the perpetrator (McSherry, 1992, p. 470). The studies of the United Nations Working Group (UNWG) on enforced disappearances in the last ten years have also shown that impunity causes contempt for the law (McSherry, 1992, p. 478).

In particular, the weakness of the judicial system of the regional autonomous government and the lack of prosecution can be defined as the main mechanism of impunity (Afflitto, 1998; Afflitto, 2000; McSherry, 1992). In this case, it may be an important element that ensures the continuation or repetition of violations by groups or individuals in an unstable and confrontational area.

Impunity and Increasing Violence Caused by Impunity in Dagestan

The concept of "impunity" derives from the French *impunité* and the Latin *impunitatem* "neglect of punishment, ignorance of punishment". It entered the English literature in the first half of the 16th century. In Latin, *im-* "not" (negative suffix) and *poena* corresponds to the concept of "punishment". It is known that in all these languages "summons" derives from the concepts of "punishment". On the other hand, in contemporary dictionaries, it corresponds to "exemption from punishment" and "exemption from harmful effects due to an action". In international law, the Promotion of Human Rights through the Action to Combat Impunity The United Nations Commission on Human Rights introduced a definition to the concept of impunity in 2005. According to the Commission; "The situation that prevents perpetrators of violations – in criminal, civil, administrative or disciplinary proceedings – from being charged, detained, tried and sentenced, as well as paying compensation to victims for their acts, as they are not subject to the applicable legal system" is impunity (UNHCR, 2005). Therefore, as a power strategy of the state, any actions aimed at eliminating this situation through a number of mechanisms are also considered to be the elimination of impunity. According to Rodley, the concept of impunity is a situation in which violations of human rights and basic legal principles arise, based on the common definition of many authors (Rodley, 2000, p. 11-26). Nevertheless, when defining the concept of impunity, the author of each definition preferred to look at it from the framework of his own psychological and moral norms. For example, while one point of view highlights the fact that impunity is a legal vacuum that needs to be filled, according to the other view, impunity has been perceived and interpreted as an action based on causal factors. The intention of the causal factor, on the other hand, is to point out the fact that there is a possibility of repeating actions that are not subject to punishment. In other words, the continuation of the current status quo of unlawfulness is ensured by the behavioral methods such as "forgetting, memorizing" required to create a culture of impunity (Fisher, 2002, p. 150-154; HRW, 2009; Tyner, 2009, p. 60-72).

In fact, until recently (for a while, it can be considered as the end of the Cold War) for people with a team of involvement in crimes throughout the world in internal armed conflicts and peace agreements in the democratic process, the acceleration of the path to be resorted to, in this context, victims in the pursuit of justice has become a problem with international agreements to build. While it is desirable for criminals to forget the crimes committed in the past and ignore the search for justice, they have been hindered by the understanding that such an approach will lead to violations of "human rights" and that human rights should no longer be so overlooked in the modern, democratic world. With this perspective, the obligation of the democratic state to investigate violations, punish the perpetrators, provide justice to the victims and prevent new violations was quickly accepted (UNHCR, 2005). The understanding that is now accepted all over the world has become the understanding that "forgiveness for the perpetrators of serious human rights violations is incompatible with the right of every individual to a fair trial before an impartial and independent court". these intellectual and philosophical developments, on the other hand, became a reference to written sources in the international field. In this context, the UN General Assembly adopted the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1984. The Convention entered into force in 1987. The contract has become one of the most important international documents in the international field within the scope of its subject. Nowak and McArthur, while at the same time emphasizing the importance of this aspect of the contract "in its internal law for appropriate penalties in the states own with treating it as a crime of torture, and for the first time, including various types of combat by taking on the responsibility of establishing jurisdiction in a great innovation of impunity for perpetrators of torture, it is noteworthy that the obligation to (Nowak & McArthur, 2008, p. vi). Indeed, we feel the need to remind that in the continuation of this innovative approach, there is also the obligation of universal jurisdiction over human rights. As a result of all these

developments, while the concept of “impunity” has been developing in the human rights law literature, the obligation to consider serious human rights violations as a “crime” has emerged in the state.

Nevertheless, it is worth recalling that the United Nations Set of Principles on the Protection and Development of Human Rights through the Fight against Impunity attributes impunity to “the failure of the state to fulfill certain obligations to its citizens. Therefore, impunity should be accepted as a situation that mostly occurs with the presence of structural disorders. This situation is accepted not only as a failure of the state, but rather as a special construction model aimed at getting rid of responsibility and ensuring the continuation of a certain social structure. In other words, the state does not fulfill its obligations and is perceived as a violator. Likewise, in the human rights literature, impunity is seen as “a cause and a voluntary act” (Dri, Pichardo, Bottinelli, Remesar, Soto & Bottinelli, 2009, p. 175-239).

Impunity creates an atmosphere of fear and insecurity at the community level. About impunity among those in power are not only scientists, but at the same time, the ones in the secondary position (these radical formation there may be in the form of individual or group) between the general atmosphere of secrecy and denial are talking about a culture where you can thrive (Foucault, 1985, p. 27-36; Mariss, 1992, p. 77-89; Sveaass & Lavik, 2000, p. 35-52). The state's preferred approach to punishment is perceived as an abuse, and this creates the status of a “second-class citizen” consisting of victims. For the sake of security values, an insecure and unpredictable context is created that causes a strong lack of control and a feeling of powerlessness in individuals. In this environment, the problem of systematic disregard for values and norms arises.

In the light of all these legally based explanations about the problem of impunity, it should be noted that in Dagestan, in particular, unofficial combat units are actively acting in the country. While the Soviet political regime was collapsing and new structures were emerging, these security units affiliated with the newly appointed politicians in the country began to play an extremely important role in Dagestan. Most of the large armed forces that support and faithfully adhere to each politician and ruler are settled, especially in the rural areas of the country, together with their communities. It is said that these groups are young people brought from the countryside armed with automatic rifles and grenade launchers. Although these weapons in the hands of the groups are kept in landfills, even the presence of these heavy weapons in their hands is actually considered a security problem. Despite the fact that terrorist acts, political assassinations and a number of other incidents considered as security problems occurred in the country, according to some authors, during the transition period, Dagestan tried to stay away from mass shootings that caused widespread casualties (Kisriev, 2018, p. 1-9). Kisriev attributes the reason for this “prudent” attitude in Dagestan to the fact that elderly people with old criminal histories are being replaced by groups formed by young people with no criminal history and no intentions, led by charismatic leaders. It is stated that the fact that these young people, most of whom have the identities of athletes, also receive considerable support from the public because they play a balancing role plays an important role in preventing conflicts. It is known that these groups, which are considered effective in preventing conflicts, consist of a traditional community or coalition of communities (one large village or an entire rural district) and are led by a prominent figure or a family. With their general reputation, these groups provided an effective defense in protecting commercial interests during the boom in business lines decisively between 1980-1990. Later, they were invited to provide security to local bosses from among the former party apparatchiks who were actively involved in the privatization of state property in Dagestan. The new rich, who took these power groups behind them in the country, began to gain political influence. In order to understand the effectiveness of these groups, it is necessary to say that the people they do not support are quickly forgotten in the field of business and politics and cannot stand in these fields. The top of the hierarchy was occupied by leaders who combined ties from the Soviet past with authority over paramilitary groups based on communal solidarity.

Such organizations received the name “ethnic parties”, which provide candidates for high-ranking positions in Dagestan, both for appointed and elected positions (Kisriev, 2018, p. 1-11). Considering the incident described by Kisriev in his own work, it would be correct to think that the author could not express that the “balance adjustment” that these groups in Dagestan had given to the administration in the way he wanted was actually a “black order”. The author was invited to a bus by one of these groups on one of the main streets of Makhachkala, a heavy machine gun mounted by welding on the floor of the bus, its barrel facing the middle of the darkened windows, several large boxes containing ammunition were placed nearby, and mineral water was offered to him as a courtesy. Interestingly, according to the author, this bus was located “Decently near the place where the ongoing business negotiations between

ethnic leaders were held. Several groups of young people from rural areas (five to seven people in each group) sat on the street next to the bus. Larger groups were standing a little further away, and suspicious trucks and buses were waiting for them nearby” (Kisriev, 2018, p. 11-13). Political decision-making in critical moments (especially management changes), such groups of young people from rural areas, government buildings near parks filled, considering the legal aspect of this group, none of the actions to take legal or management, or wait to make these actions in the slightest disclaimer there will be an expectation that is contrary to the current state of Dagestan.

Moreover, the support of the political elite counterinsurgency operations carried out by these groups was reported in the reports HRW typically capture and the rebels weapons and other evidence of your activity aims to obtain a comprehensive search and seizure raids on rebel are. Sometimes these operations, the official name of which is “anti-terrorist operations”, are carried out in immediate response to armed attacks by insurgents in the region. In some cases, the operations also include armed clashes with insurgents. Depending on the circumstances, operations may target a specific household, a neighborhood, or an entire village; in some cases, they may be prolonged by security forces blocking or limiting access to a village for weeks or longer. It is also reported that a certain neighborhood or an entire village has been surrounded by armed personnel groups affiliated with the FSB and the Ministry of Internal Affairs, and people's dwellings are being checked. The absence of the obligation of the security forces to identify themselves or to provide residents of the region with any explanation for the operations is also interpreted as characteristic of counter-terrorism operations (HRW, 2015).

On the other hand, such operations are aimed at groups outside the informal groups we have mentioned above, which are defined as criminal groups. It is possible to examine them in three stages, and the mentioned groups are structures outside of politics. First, these formations are mostly ethnic-based groups and face each other routinely. Along with this, these criminal groups consist of people who also come together based on communities. Second, decapitation. These groups, generally known as Wahhabi, are defined as groups that turn to crime because they lose political power. When Bzons were established for anti-terrorist operations in various parts of the republic, the houses and apartments of people with this salafi⁶ understanding who settled in the people were burned down, and people who were removed from them were shot. The tortures applied to forcibly extract confessions from alleged militants have become a routine bureaucratic practice, part of the system that connects state representatives, corruption, violence (Kaliszewska 2015, p. 65; Raubisko 2011, p. 127). The consequences of the long-term destabilization have become parallel with the re-Islamization processes from the bottom up in the region. The emigration of Russians and secular intellectuals from the region after the collapse of the USSR, the establishment of regions governed according to local sharia (Kaliszewska 2016, p. 35), and the increased revenues from illegal means prepared the ground for the establishment of the understanding of trade and corruption. Thus, while causing the effects of this Wahhabi understanding to spread rapidly, especially in the regions of Dagestan, Chechnya, and Ingushetia, these regions became separated from the rest of the Russian Federation. After the separation of the Pashtuns-inhabited (FATA) tribal regions along the Afghan border of Pakistan from Pakistan, these regions became the second example that the Wahhabi tendency removed from the mainland in the immediate region (Falkowski & Marszewski 2010, p. 56-76; Kaliszewska, 2019, p. 166-170). It is possible to say that since 2014, even Dagestani soldiers have joined ISIS, Salafi-oriented individuals have received less attention in Dagestan (Kaliszewska, 2019, p. 170).

Smuggling activities carried out by ethnic Lezgis on the country's border with Azerbaijan also increase the crime rate. As one of the largest ethnic groups in Dagestan, the Lezgis have not integrated into the system governing ethnically based groupings. Powerful Lezgin communities are located far from the capital, and their access to power is also limited. Most of the Lezgis have already lost their ties with

⁶ The Spiritual Delegation of the Muslims of Dagestan (Dukhovnoye Upravleniye Musulman Dagestan; DUMD), called the Mufti, claims to represent the Muslims of Dagestan. Muslim Spiritual Councils were state-created institutions that operated throughout the entire Soviet period. After the Deconstruction of the USSR, more than fifty Muslim regional Spiritual Councils appeared, among which the DUMD. These institutions allowed the state a certain degree of ideological intervention and control. For example, the DUMD supported the law prohibiting Wahhabism on the territory of Dagestan, although there is no such law at the federal level. It was also a law that included the control of all transnational Islamic organizations operating in the region and censorship of Islamic literature, which was introduced in the early 2000s. It is said that the DUMD's power and will to implement this law may be quite limited. It can be seen as a law that can be applied when necessary, but is not actually followed. The religious landscape of the republic has changed significantly over the past two decades. The involvement of the Spiritual Delegation of Dagestani Muslims in local politics and, ultimately, the fact that ISIS entered Dagestan, significantly influenced Islamic practices and identities in the republic. In 2016, the so-called Yaravaya law was introduced, which targeted unregistered religious groups and preachers. It is also not said that salafi groups are actually affected by this law.

their communities in Southern Dagestan, and most of the elite Lezgi leaders live outside Dagestan, mostly in large cities in Russia and other former Soviet republics. As a result, they are not in a position to control the situation in Makhachkala or even in Southern Dagestan, where Lezgis make up most of the rural population. Even though they have the overwhelming majority of the population, the “most profitable” positions (customs or Border Guard posts, or those that are in constant interaction with them) are held by the guardians of the ruling clans (Kisriev, 2018, p. 12-13).

An increasingly small group admin Dagestan held by the clan's economy, many successful business people who have the freedom to move in the first period of capitalist groups working under the restrictions of these administrative activities, the proper way to submit to or it was stated that Russia had to cede. The monopolization of power and the economy has caused the escape of capital to industries that local oligarchs do not yet control. The human and financial resources of the groups that cannot have a say in the administration and consider themselves “defeated” are invested in the black economy, such as the illegal production of vodka (it is claimed that this business is gradually being taken over by the ruling elite) and drug trafficking, its production (Kisriev, 2018, p. 14). It should be noted that this black business line is a new and rapidly growing sector that is highly profitable, attracts significant investments, and benefits from a highly skilled workforce. It seems to be a good intention to wait for the violence in the region to decrease instead of increase as a result of the factors that are seen to be covered up caused by all these effects but which form the basis for experiencing major chaos.

Human Rights Violations in Dagestan and the Reactions of International Organizations

As well as the historical reasons for the destabilization in Dagestan, these reasons also have consequences from the religious approaches that society has embedded in it. The structure of society, the predominance of religious elements, radicalization that has settled in a significant part of society, cultural similarities and differences of ethnic structures have led to the emergence of the problem of “impunity” related to crimes occurring in the North Caucasus due to factors such as. In Dagestan, the religious rules adopted by a significant part of society, originating from the Wahhabi understanding and exported by radical groups from Chechnya, directly interfere with women's lives. This situation leads to violations of women's rights in the country first and then of all human rights. As if this was not enough for the radical groups that took advantage of the instability that the North Caucasus experienced due to the diversity of its ethnic structure and the domination of Russia, the suspension of the law and legal systems in this area and Dagestan in particular, from time to time, caused the society's understanding of the law to change radically.

For example, in July 2020, the Dagestan web portal advocating for women's rights in the North Caucasus Daptar.ru, an article published by (Anakhinan, 2020) criticizing the failure of the authorities to investigate the death of a Chechen woman highlights the lawlessness in the region. Immediately after this article, the chief editor of the portal, Svetlana Anakhinan, received many threats that should be taken seriously. The aforementioned violations attract attention in the international arena. In this context, Human Right Watch (HRW Human Rights Observation Group) in 2015, a report by the year 2022 in the Parliamentary Assembly of the Council of Europe's Committee on legal affairs and Human Rights and the rule of law in the North Caucasus region of ongoing human rights posted a report about the need to restore. The reports have also considered the observations of journalists and several non-governmental organizations that are human rights, defenders or activists. The orientation of people rather than authoritarian governments decisions about their own lives because of their desire to live according to their own desires, or “traditional values” because they did not meet the demands persecuted, tortured, and noting that even under the risk of losing their lives, away from this place, people who live in the North Caucasus in the report, it was indicated that they are not safe anywhere even in Russia and even abroad (Parliamentary Assambly, 2021).

It should be noted that the reports, considered to have examined the North Caucasus as a whole, also refer to regional examples. For example, the section editor of the newspaper Chernovik again in 2019 Dagestan hackable based journalist suspected of terrorist organizations to finance the religious abdulmumi Gadzhiev money transfer to a person arrested on charges of alleged he was to join the terrorist organization, the staff of the accusations vehemently refused and in retaliation for writing gadzhiev Chernovik the accused in violation of the truth that it has been claimed. Although it is a fact that the people and even human rights monitoring organizations are under more domination in Chechnya than in

other regions, it should be noted that these actions do not have a ranking of the measure (Parliamentary Assembly, 2021).

So that; By the authorities in 2018 the Memorial Human Rights Center (MHRC) against the organization of Chechnya, Ingushetia and Dagestan laid out a series of attacks against representatives and offices in it was recorded, the Grozny office of Memorial in Chechnya have been accusations of possession of illegal drugs and then suspicious Memorial HRC, which is the head of the office in 2017, and in 2018 the Vaclav Havel Human Rights Prize Oyub Titiev lawyers detained without being allowed to get in touch with anyone, Lion Telkhigov Zaikin digested and Petr, they were threatened and forced to give up defending Titiev and even forced to leave the country (MHR, 2018). On January 17 and 22, 2018, Memorial's office in Ingushetia and a car belonging to Memorial in Dagestan were also set on fire. On March 28, 2018, the head of the Dagestan branch of the organization Sirazhutdin Datsiev was attacked by unidentified people. It was also included in the records. The targeting of such organizations by local governments, especially within the scope of the "foreign agents law," leads to the fact that the people of the region and organizations aimed at human rights remain unprotected.

In 2018, the existence of conflicting reports on many conflicts involving regional security forces was also noteworthy. For example, on the day of the year January 3, 2018, the chief of police who served in Chechnya was shot and killed in a village on January 4, in an attack on a police station in radical groups to have been murdered by a person unknown, was killed on January 6th Salafi closed the imam of a mosque in Dagestan, Ingushetia, and Dagestan on January 15th again on 10 February, two suspected terrorists by the police, a suspected terrorist was murdered, and was shut down by the governments without the need for an explanation of these events were reported. In 2017, according to unofficial statistics, persons alleged militant, 175 fatal clashes between civilians and law enforcement and special operations as a result of "people are the victims of armed conflict, where 41 percent of them dead and 134 injured was reflected in the report (Parliamentary Assembly, 2021).

These figures, which are stated to be unofficial in 2016, decreased in Dagestan compared to 2016 and increased in Chechnya. It has been included in the statistics that many of the people killed were also "militants," but civilians, law enforcement officers, and security personnel also lost their lives in the fight against terrorism during the clashes. In 2018, it was reported that 108 people, mainly from Dagestan, were victims; in 2019 and 2020, there were 46 and 56 victims, respectively. In the statistics for the year 2021, the reported numbers decreased (Parliamentary Assembly, 2021).

Experts have warned that heavy security measures do nothing but promote radicalization in the North Caucasus and increase militant activity in Russia in general. General statistics show that terrorist crimes in Russia increased significantly in 2020 and 2021 after a brief decrease in 2018 and 2019. The increase explains these results due to the authorities' excessive recrimination policies and coercive methods in combating crime. For example, Memorial has reported a criminal case filed due to membership in an Islamist organization that has been inactive since the 1970s. It has also been accepted by the Strasbourg Court that there is a tendency to blame more than necessary in the case of two brothers and shepherds who were suspiciously killed during a security operation in Dagestan (Parliamentary Assembly, 2021).

On the other hand, the situation continued to deteriorate in the North Caucasus. Forced marriages of women and girls in the region are still in Chechnya or Dagestan, North Caucasus, and living abroad is a common practice to marry a woman permanently. It was stated that kidnapped and faced with the risk of the strain. The Bopkhoyeva case constitutes an example of such practices, in which even a woman's own family does not shelter her but gives her back to the kidnapper and forces her to live under the supervision of this person (Bopkhoyeva v. Russia, 2018).

In September April 2013 and September 2014, HRW documented violations in counter-guerrilla operations in two mountain villages in the Untsukul region (Gimry and Vremenny). Stating that houses and businesses were destroyed in Gimry and most of the population was evacuated for about ten days, the villagers claimed that the security forces were responsible for this situation. However, the authorities did not assess responsibility since reporters, and human rights defenders were banned from entering the village for several weeks after the raid. During the operation in Vremenny, the security forces gathered hundreds of people for identity checks and interrogations, forced the entire male population of the village to leave their place immediately, and removed all the remaining women and children after two weeks. The operation in Vremenny lasted more than two months, and the village was devastated.

On the other hand, those targeted by government officials are typically Salafists or young men who go to mosques frequented by Salafists. In some cases, detainees are never seen or heard from again. Initially, victims of enforced disappearances, but within a few days, they turn up in a detention center, are tortured, or threatened to sign statements without the presence and advice of a lawyer. Under international law, any state officials or persons acting with their support made by concealment of the fate or whereabouts of the person detained deprivation of liberty illegally and that this situation is a crime under international law is losing force. Unlawful detentions and enforced disappearances severely violate Russia's international human rights obligations and entail obligations to investigate and prosecute those responsible for them. Likewise, torture and cruel, inhuman, or degrading treatment are strictly prohibited under international law and cannot be justified under any circumstances. Governments must investigate allegations of torture and ill-treatment by their officials, punish those responsibly, and provide effective remedies to complainants. The practice of detention without interviewing anyone increases the risk of torture. International law recognizes the need for detainees to have adequate access to lawyers of their choice. The inability of detainees to have access to a lawyer is a widespread and recurring problem in the North Caucasus, including Dagestan (HRW, 2015; MHR, 2005).

The Impact of Instability in Dagestan on Regional Security

The current situation of Dagestan has a rigid problem-like structure. The trend in the region by the Russian authorities to the public the results of a separate containment structure, effectively creating an environment of distrust and rebellion, while still many of the activities of criminal groups and informal structures within the community are ignored, and again shows that impunity is used as a tool. The applicability of these penalties by the local government also creates controversy and turns into power in the hands of the power holders as laws that can be used at certain times.

As mentioned earlier, a significant part of the people in Dagestan is Muslims. There were 806 mosques in Chechnya during the Soviet Union in 1913, especially in 1985. There were three left in commemoration of the security problem in the region in this way today (Dunlop, 1998, p. 33), which were considered attacks on their sanctuaries, which were the most critical factor for overcoming the difficult tests of life for the people in the region and surviving. Although the sacred protection reflex triggered by the First Chechen War is thought to have populated the North Caucasus for the first time together with Chechnya, the security problem in the region had continued to exist since the Tsarist Period, as stated at the beginning of the study. Although there is no change in the roots of the same security problem today, the problem has maintained its existence by assuming different identities with the involvement of actors other than the countries in the region. Rather than a change in the beliefs of the region's people, the sovereignty policies that Russia has implemented since the very beginning have caused these people to become more radicalized. For example, a woman who survived the shelling of Grozny in the First Chechen War herself, but lost her brother, said, "I was returning from the next mass cemetery. I could not find my brother there, and I was traveling by bus and crying. A woman sitting next to me asked what had happened. I told him. He expressed sympathy and said, 'My three children and my mother died in a bombing'. Moreover, I thought that God was kind to me" (Musaeva, 2009, p. 589). Then, instead of rebelling or getting angry because of his situation, he clung to his faith more with a "downward comparison attitude⁷".

Thus, the reflex, which is located in Dagestan in the North Caucasus against Russia to all the people to maintain their faith while on the other hand, this particular understanding of belief-based advocacy groups with more radical Wahhabi in Saudi Arabia caused me to find favor in the field. A spiral of violence has been applied in the North Caucasus, which the state has decorated with "noble" intentions against its people using intimidation methods, and this spiral has gradually engulfed the region, including Dagestan, Ingushetia, and Chechnya. Later, the attacks of these republics against each other also began to increase. The immediate goal of the Russian government was to ensure the subjugation of the population by maintaining an atmosphere of fear within the region. The Russian armed forces have used unprecedented types of violence against civilians, mainly Chechen civilians, hoping to erode the separatist movement's material and psychological support. The main goal of the Russian government was to

⁷ In Anatolia, too, it is possible to express the attitude that finds a response in the form of "there are worse things, thank God for your condition by looking at those who are in a more difficult situation than yourself" in the form of trusting in the Islamic understanding or submitting to what God wants.

subjugate the people and eliminate the intellectual and political elite of Dagestan, Ingushetia, and Chechnya (Gilligan, 2009, p.22-24)

August 1994 began in the First Chechen War, which ended with the Khasavyurt Agreement in August 1996. The end of Chechnya's economy had been destroyed. Non-paying wages and social benefits, poverty, destruction, the spread of crimes, human kidnapping and trafficking, the impotence of the authorities, and warlords have sprung up in the country (Kramer, 2004, p. 85; Geukjian, 2012, p. 37-79). As a result, the civilians of the country turned to leave the country, and it was a fact that they were no longer civilians. Due to the restrictions imposed by General Shamanov, who commanded the Russian 58th Army in the western part of Chechnya, on September 25, the administrative borders with neighboring republics were closed to all Chechen people. However, Ingushetian President Ruslan Aushev preferred not to fulfill Russia's order. He allowed the influx of refugees from Chechnya to enter Ingushetia. Ingushetia has a population of about 300,000 and has taken in 200,000 refugees from its borders (International Crisis Group, 2012). With the withdrawal of Russian troops, the period of "semi-independence" began. Although Chechnya's behavior in accordance with all Russian policies today is the most painful example of Russia's influence in Dagestan and Ingushetia, the two regions have been aware of this activity since the beginning. However, still express that there is a benefit to this area is primarily religious and traditional print alleged by the government in Chechnya exported radical groups and organized crime structures with the directors of the organizations that have entered unstable because of unstable areas in the region looking for relationships and for criminal organizations to transform ground and space may be a matter of time. The turmoil that started with insecurity among the people may turn into a new regional and permanent conflict due to the crisis it will create in the North Caucasus.

Discussion, Conclusions, and Recommendations

Today, there is a very high possibility that significant tension will occur in Dagestan at any moment, and the existence of such a threat will recur again on the axis of the historical information given above. Although, especially in western sources and studies, there was an understanding of ethnic diversity in Dagestan and at first based on faith and love of homeland, and this understanding was progressing in the form of an ethnic identity that was equal to Islam until the 2000s. It should be noted that although Wahhabism settled in Dagestan and this understanding increased participation in ISIS within the country, it ignited the basis of the separation. Although western sources have embellished Wahhabism, and it is said that the administration increases religious pressures from time to time and causes this Wahhabism to overlap with traditions in the region, it cannot be claimed that the problem arises from a single source. It appears that two factors, one religious and the other political, which are known to be opposed to the traditions of the people living in these lands, have been instrumentalized by forces outside the region to keep the ethnic structure in the country under control.

There is another hidden danger in Dagestan. What constitutes this danger is the outcomes of the power and powerlessness created by the Dagestan people's Chechen ethnic structure in the first place and the inability to have a say in the administration, which was reinforced by melodies and then found its footing on the political plane. These outputs are divided into "we" and "they".

A Russian political scientist describes a vivid example of this as follows: "At a conference in Berlin (...) I witnessed another example of this division. When I started to raise the issue of democratic standards in Western-Russian relations, I was interrupted by another Western participant. 'You are making us angry,' he said. 'International relations are not about values; they are about power!' If he is right, Russian liberals will have to reconsider their expectations from Western opinion leaders, on whom they have long relied for moral support and understanding" (Shevtsova, 2010, p. 76). Western leaders, that is, the "West" thinks that with all democratic values, democratic values are not so necessary for "us" and Russia for "them". This moral relativism often leads to the opening of a "we"- "they" relationship, and perhaps scissors, through stereotypical ideas.

Although the Russian authorities have the legitimate right to conduct law enforcement and security operations anywhere in the Russian Federation to identify and arrest suspected criminals and confiscate illegal weapons, such operations are not; To comply with domestic law and Russia's international human rights obligations, law enforcement agencies comply with the obligations of restraint when using the power to act, and the seriousness of the threat, proportionate to the seriousness of the offence and the legitimate aim to be achieved desired movement, force and firearms as much as possible before resorting to nonviolent methods needs to be implemented. The universal human rights rules prohibit torture and

cruel, inhuman, or degrading treatment or punishment. The arbitrary destruction of individuals' homes and property cannot be justified under any circumstances and constitutes a severe violation of many fundamental rights protected under human rights obligations. However, it is accepted that regional interventions of western origin are also carried out with the instrumentalization of sacred values such as human rights. One of the basic principles of international law is that decriminalization and trial cannot be made between equals. Therefore, the steps of Russia and the West to violate the rights of the local people over regional gains will cause both the disregard of human Decencies and the exacerbation of violent conflicts that will arise in the region. First of all, it is necessary to show the necessary attention to human rights and then to establish regional security on the axis of international law.

Ethical Declaration

In the writing process of the study titled “*The Impact of the Problem of Instability and Impunity Associated with Ethnic Diversity on Regional Security: The Case of Dagestan*” there were followed the scientific, ethical and the citation rules; was not made any falsification on the collected data and this study was not sent to any other academic media for evaluation. Since the document review has been conducted in this study, there is no requirement for an ethics committee decision.

References

- Afflitto, F. M. (1998). *Experience and Evaluation: Social Perceptions of Justice in Guatemala's 'Popular' Movement, 1990–1992* (Doctoral Dissertation). University of California: Irvine.
- Afflitto, F. M. (2000). Victimization, survival and the impunity and forced exile: A case study from the Rwandan genocide. *Crime, Law & Social Change*, 34(1), 77-97.
- Anokhinan S., Zarezal. Zadushil. Izbil Do Smerti, Daptar. Ru <https://daptar.ru/2020/07/21/zarezal-zadushil-izbil-do-smerti/>
- Berje, A. (2010), *Kafkasya, Dağlı Halkların Göçü ve Kısa Tarihi*, Trans: Murat Paşu, İstanbul: Chiviyazıları
- Bopkhoyeva V. Russia [https://hudoc.echr.coe.int/eng#{"itemid":\["001-180849"\]}](https://hudoc.echr.coe.int/eng#{) (Application no. 25414/14) STRASBOURG 20 February 2018.
- Dri, V., Pichardo, M.A., Bottinelli, M., Remesar, S., Soto, S. ve Bottinelli M.C. *Impunity as a crime against humanity*. In Inter-American Institute of Human Rights (Eds.), *Comprehensive Attention to Victims of Torture in Cases under Litigation: Psychosocial contributions*. (pp. 175-238.) San Jose: IIHR.
- Falkowski, M. ve Marszewski, M. (2010). Kaukaskie “terytoria plemienne” Kaukaz Polnocny – cywilizacyjnie obca enklawa w granicach Rosji. *Prace OSW*, 34, http://www.osw.waw.pl/sites/default/files/PRACE_34.Pdf.
- Fisher, N. (2002). Leadership and impunity: the politics behind the traumatization of children during armed conflicts. *Traumatology*, 8(3), 146-159.
- Foucault, M. (1985) *Punish and Discipline, The Birth of the Prison*, London: Penguin.
- Geukjian, O. (2012). *Ethnicity, Nationalism and Conflict in the South Caucasus: Nagorno-Karabakh and the Legacy of Soviet Nationalities Policy*. London: Routledge.
- Gilligan, E. (2009). *Terror in Chechnya. Russia and the Tragedy of Civilians in War*. Princeton, NJ: Princeton University Press.
- Gould, R. (2015). *Why Dagestan is good to think: Moshe Gammer, Dagestan, and global Islamic history*. In M. Gammer (Ed.). *Written Culture in Dagestan* (pp. 17–40). Helsinki: Annales Academiae Scientiarum Fennicae
- Henze, P. B. (1985). *Kafkaslarda Ateş ve Kılıç, 19. Yüzyılda Kafkaslarda Dağ Köylülerinin Direniş*, Trans: Akın Kösetorunu, Ankara: Ortadoğu Teknik Üniversitesi Yayınları.
- Human Rights Watch (2009). *Who Will Tell Me What Happened to My Son. Russia's Implementation of European Court of Human Rights Judgments on Chechnya*. New York: Human Rights Watch.
- International Crisis Group (2012). *The North Caucasus: The challenges of integration. Ethnicity and conflict. Europe Report No. 220*. Published on the 19. October 2012. Retrieved on November 2, 2012, from: [http://www.crisisgroup.org/~media/Files/europe/caucasus/220-the-northcaucasus-the-challenges-of-integration-i-ethnicity-and-conflict.pdf](http://www.crisisgroup.org/~/media/Files/europe/caucasus/220-the-northcaucasus-the-challenges-of-integration-i-ethnicity-and-conflict.pdf).
- Kisriev, E. (2018). *Dagestan: Power in the balance, The Caucasus: Armed And Divided, Dagestan*. Saferworld Arms & Security Programme.
- Kaliszewska, I. (2015). *Dagestani experiences of the state*. In S. Voell; I. Kaliszewska (Eds.), *State and legal practice in the Caucasus. Anthropological perspectives on state and law* (pp. 113–133). Farnham: Ashgate.
- Kaliszewska, I. (2019). “What good are all these divisions in Islam?”. *Everyday Islam and normative discourses in Dagestan, Contemporary Islam*. 2020, 14, 157–178; <https://doi.org/10.1007/s11562-019-00436-9>.
- Mariss, P. (1982). *The Social Construction of Uncertainty*. In C.M. Parkes, J. StevensonHinde & P. Marris (Eds.). *Attachment Across the Life Cycle* (pp. 77-90.). Tavistock/Routledge. London.
- Memorial Human Rights Center (2005, September). *Chronicle of Violence. Human rights violations during anti-terrorist operations in the Republic of Ingushetia*. Retrieved from: <http://www.memo.ru/hr/hotpoints/NCaucas/konnas/eng/index.htm>.

- Memorial Human Rights Center (2009). Situation in the North Caucasus conflict zone. Analysis from the human rights perspective. Bulletin. Winter 2008-2009. Retrieved from: <http://www.memo.ru/d/1574.html>.
- McSherry, J.P.,(1992). Military Power. Impunity and State-Society Change in Latin America. *Canadian Journal of Political Science*. 25(3), 463-488.
- Musaeva, E. (2009). *Zhizn' posle smerti*. In S. Ushakin & E. Trubina (Ed.), *Travma: Punkti*. Sb. Statej pod red (pp. 582-606). Moscow: Novoe literaturnoe obozrenie.
- Nowak M. ve McArthur E., (2008). *The United Nations Convention against Torture: A Commentary*. Oxford: Oxford University Press.
- Parliamentary Assambly, The continuing need to restore human rights and the rule of law in the North Caucasus region Committee on Legal Affairs and Human Rights 2022 - Third part-session <https://pace.coe.int/en/files/23984>.
- Raubisko, I. (2009). Proper 'traditional' versus dangerous 'new': Religious ideology and idiosyncratic Islamic practices in post-soviet Chechnya. *Journal of the Anthropological Society of Oxford*, 1, <http://www.isca.ox.ac.uk/fileadmin/ISCA/JASO/raubisko.pdf>.
- Rodley, N. S. (2000). Breaking the cycle of impunity for gross violations of human rights: the Pinochet case in perspective. *Nordic Journal of International Law*, 69, 11-26.
- Shevtsova, L. (2010). *The Lonely Power. Why Russia Has Not Become the West and Why the West Is Difficult for Russia*. Moscow: Carnegie Moscow Center.
- Sveaass, N. ve Lavik, N.J. (2000). Psychological Aspects of Human Rights Violations: The Importance of Justice and Reconciliation. *Nordic Journal of International Law*. 69(1), 35-52.
- Tyner, J. A., (2009). *War, Violence, and Population: Making the Body Count*. New York: The Guilford Press
- Uludağ, S. (2006) "Mürid" *Diyanet Vakfı İslam Ansiklopedisi*, c.32, Ankara: TDV Yayınları.
- United Nations Commission on Human Rights (2005), Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity, U.N. Doc. E/CN.4/2005/102/Add.1 (Feb. 8, 2005). <http://www1.umn.edu/humanrts/instree/HR-protection2005.html>.
- Ware, R. B. ve Kisriev, E. (2001). Ethnic parity and democratic pluralism in Dagestan: A consociational approach. *Europe-Asia Studies*. 53(1), 105-131.
- Ware,R.B. ve Kisriev. E.(2009) *Dagestan, Russian Hegemony and Islamic Resistance in the North Caucasus*. New York and London: M.E.Sharpe, Armonk.
- Ware, R. B. ve Kisriev, E. (2010). *Dagestan Russian hegemony and Islamic resistance in the north caucasus*, New York and London: M.E.Sharpe,
- Yemelianova, G. (2003) *Islam in Russia an historical perspective*. In Pilkington, H. & Yemelianova, G.(eds.). *Islam in post-Soviet Russia*. (pp. 15-60.) London:Routledge.

TÜRKÇE GENİŞ ÖZET

Dağıstan bugün Kuzey Kafkasya Bölgesinde silah kullanma ve silaha aşına olma konusunda en tecrübeli cumhuriyetlerden biridir. Bu kültüre sahip olmasında en önemli etken ise Sovyet döneminde yaşanan siyasi krizler ve olaylar olarak kabul görür. Ülkedeki silah kaynağının Çeçenistan olduğu düşünülmektedir ve bunun da altında yatan tarihi nedenlerin yanı sıra 1990'lardan itibaren etnik çeşitliliğe paralel olarak geliştirilen benzersiz siyasi kurumlar olmuştur. Dağıstan'da Cemaat olarak ifade bulan, etnik kökene göre şekillenen aşiretler bu siyasi kurumlar ile entegrasyon sağlamış dolayısıyla bölgede savaş niteliği kazanmayan çatışmalar haricinde büyük krizlere neden olacak sorunlar şimdiye kadar yaşanmamıştır. Ukrayna- Rusya savaşının başlamasından yıllar önce dahi Rusya Federasyonu'nun, Sovyet Sosyalist Cumhuriyetler Birliği'nden (SSCB) ayrılan diğer ülkelerde etkisinin kaybolmadığı gerçeğinden hareketle bugünlerde Dağıstan'ın görece sağlamış olduğu istikrarın sarsılma ihtimali gündeme gelmektedir.

Diğer taraftan bölgenin istikrarsızlığı ve çatışan gurupların varlığının "cezasızlık" kavramı üzerinden değerlendiriliyor olması ise gerek FSB'nin gerek özerk yönetimin uygulamalarının ya da önlemlerinin eksik olduğuna dikkat çekmektedir. Devletin uygulamalarının vatandaşına karşı baskı ve gücünü kötüye kullanması düzeyinde şiddetlenmesi ise kişisel düzeyde ve guruplar düzeyinde ihlalleri gerçekleştiren kişilerin devlete karşı elini güçlendirmektedir. Failler devletin aşırılıkları durumunda işledikleri suçların sorumluluğundan yanlış uygulamalar neticesinde kurtulabilmektedir. Bu durumun neticesi ise fail için hesap verilebilirlikten kurtulma olarak ortaya çıkmaktadır. Birleşmiş Milletler Çalışma Grubu'nun (BMÇG) zorla kaybetmeler üzerine son on yıldaki çalışmaları da , cezasız kalmanın kanunların hor görülmesine neden olduğunu göstermiştir. Dolayısıyla devletin bir güç stratejisi olarak bir takım mekanizmalarla bu durumu gidermeye yönelik her türlü eylemi de cezasızlığın ortadan kaldırılması olarak kabul görmektedir. Rodley'e göre de cezasızlık kavramı bir çok yazarın ortak tanımından yola çıkarak insan haklarının ve temel hukuk ilkelerinin ihlalinin ortaya çıktığı bir durumdur. Yine de cezasızlık kavramı tanımlanırken her tanımın yazarı, kendi psikolojik ve ahlaki normlarının çerçevesinden bakmayı tercih etmiştir. Örneğin bir bakış açısı cezasızlığın, doldurulması gereken hukuki bir boşluk olduğu gerçeğini ön plana çıkarırken diğer

görüğe göre cezasızlık, nedensel faktörlere dayanan bir eylem olarak algılanmış ve yorumlanmıştır. Nedensel faktörden kasıt ise cezaya maruz kalmayan eylemler tekrarlanma ihtimalinin olması gerçeğine işaret etmektedir. Diğer bir ifade ile bir cezasızlık kültürünün yaratılması için gereken “unutma, ezberden çıkarma” gibi davranış yöntemleri ile mevcuttaki hukuksuzluk statükosunun devamı sağlanmaktadır.

Aslında yakın tarihe kadar (ki bu süre; Soğuk savaşın sonu olarak düşünülebilir) bir takım suçların işlenmesinde dahli olan kişiler için, dünya genelinde demokratik süreçlerin hızlanması ve iç silahlı çatışmalarda barışın sağlanmasında anlaşmalar yoluna başvurulması, bu çerçevede de mağdurların adalet arayışını uluslararası anlaşmalar ile kuvvetlendirmesi bir sorun haline aldı. Suçlular için geçmişte işlenen suçların unutulması, adalet arayışının görmezden gelinmesi arzu edilen bir durum iken, böyle bir yaklaşımın “insan haklarının” ihlal edilmesine neden olacağı ve çağdaş, demokratik dünyada insan haklarının artık bu denli gözden uzaklaşmaması gerektiği anlayışının engeline takıldı. Bu perspektifle demokratik devletin ihlallere dair soruşturmalar, failerin cezalandırılması, mağdurlara adalet sağlamak ve yeni ihlallerin önüne geçme yükümlülüğü hızla kabul gördü. Artık tüm dünyada kabul gören anlayış “ciddi insan hakları ihlallerinin faileri için affın, her bireyin tarafsız ve bağımsız bir mahkeme önünde adil yargılanma hakkıyla bağdaşmadığı” anlayışı oldu. bu fikri ve felsefi gelişmeler ise uluslararası alanda yazılı kaynaklara referans oldu. Bu bağlamda BM Genel Kurulu İşkenceye ve Diğer Zalimane, İnsanlık Dışı veya Aşağılayıcı Muamele veya Cezaya Karşı BM Sözleşmesini 1984 yılında kabul etti. Sözleşme 1987 yılında yürürlüğe girdi. Sözleşme konusu kapsamında uluslararası alanda en önemli uluslararası belgelerden biri haline geldi. Nowak ve McArthur, Sözleşmenin bu yönünün önemini vurgularken aynı anda “devletlerin işkenceyi kendi iç hukukunda uygun cezalarla bir suç olarak kabul ederek ve ilk kez olmak üzere çeşitli türlerde yargı yetkisi kurma sorumluluğunu üstlenerek işkence failerinin cezasız kalmasıyla mücadele etme yükümlülüğünün büyük bir yenilik” olduğuna da dikkat çekmektedir. Gerçekten bu yenilikçi yaklaşımın devamında insan hakları konusunda evrensel bir yargı yetkisi yükümlülüğünün de olduğunu hatırlatmak gereği duyuyoruz. Bütün bu gelişmelerin neticesinde insan hakları hukuku literatüründe “cezasızlık” kavramı gelişme gösterirken devletinde ağır insan hakları ihlallerini “suç” olarak görme zorunluluğu ortaya çıktı. Cezasızlık sorununa dair bütün bu hukuki temelli açıklamaların ışığında Dağıstan özelinde, gayri resmi savaş birimlerinin ülkede etkin şekilde hareket ettiğini belirtmek gerekir. Sovyet siyasi rejimi çökerken ve yeni yapılar ortaya çıkarken, ülkedeki yeni göreve gelen politikacılara bağlı bu güvenlik birimleri Dağıstan’da son derece önemli bir rol oynamaya başladı. Her bir politikacı ve yöneticiyi destekleyen ve bunlara sadakatle bağlı olan büyük silahlı kuvvetlerin çoğu, cemaatleriyle birlikte özellikle ülkenin kırsal alanlarında yerleşmiş durumdadır. Bu gurupların otomatik tüfekler ve el bombası fırlatıcıları ile silahlandırılmış kırsaldan getirilen gençler olduğu söylenmektedir. Gurupların elinde olan bu silahlar depolama alanlarında tutulsa da ellerinde bu ağır silahların varlığı bile aslında birer güvenlik sorunu olarak değerlendirilir. Ülkede terör eylemleri, siyasi suikastlar ve diğer bir takım güvenlik sorunu olarak kabul edilen olaylar meydana gelmesine rağmen, kimi yazarlara göre, geçiş döneminde Dağıstan, yaygın kayıplar veren kitlesel çatışmalardan uzak durmaya çalıştı. Kisriev Dağıstan’daki bu “sağduyulu” tutumun nedenini eski suç geçmişi olan yaşlıların yerini karizmatik liderlerin önderlik ettiği suç geçmişi ve de niyeti olmayan genç insanların oluşturduğu gurupların almasına bağlamaktadır. Çoğu sporcu kimlikleri olan bu gençlerin dengeleyici bir rol oynadıkları için halktan da hatırı sayılır bir destek görmesinin çatışmaların engellenmesinde önemli rol oynadığı ifade edilir. Çatışmaların önlenmesinde etkili olduğu düşünülen bu gurupların, bir geleneksel cemaat veya cemaatler koalisyonundan (bir büyük köy veya bütün bir kırsal bölge) oluştuğu ve önde gelen bir şahsiyet veya bir aile tarafından yönetildiği bilinmektedir. Bu guruplar genel itibarı ile 1980-1990 arası dönemde iş kollarında yaşanan patlamada ticari menfaatlerin korunmasında etkili bir müdafaa sağladılar.