

Kabardino-Balkaria: Circassian Clears Last Repatriation Hurdle

Author: [Valery Khatazhukov](#)

Deported ethnic Circassian wins the right to return to his ancestral homeland.

A Turkish citizen of Circassian (or Adyg) ethnicity, who successfully challenged his deportation from Kabardino-Balkaria, last week had his permanent residence status restored by the visa service of the interior ministry in the Russian autonomous republic.

Bolat Haji-Bairam, 30, had been a permanent resident of Russia for seven years and planned to apply for Russian citizenship, but was deported in August 2002 after being convicted of two charges of violating the local administrative code.

The story of Haji-Bairam's deportation created a stir in North Caucasus republics with Circassian diasporas and drew the attention of Russian human rights organisations. It is a setback for the Russian authorities who have been seeking to limit the influence of Turkish Circassians in their territories.

Haji-Bairam was charged with living outside of his officially registered domicile and changing his domicile without notifying the authorities within the prescribed time period. Haji-Bairam said he had not actually moved house.

He appealed the deportation verdict in the courts of Kabardino-Balkaria and then took his case to the European Court of Human Rights in Strasbourg. The Strasbourg court issued a memorandum to the Russian representative Yury Laptev requesting an explanation for the deportation. This led the Russian general prosecutor's office to admit that Haji-Bairam's had been wrongfully deported. Finally, on October 5, 2003, Nalchik City Court issued a ruling of wrongful deportation and restored him to all his rights.

On his removal, however, Haji-Bairam had been drafted into the Turkish Army for six months and thus could not take advantage of the court ruling.

In a telephone conversation with IWPR, Haji-Bairam said that after he refused to leave masked men came to his house and took him to the airport.

"They kept me handcuffed to a radiator for two hours. They demanded that I sign a document saying I was leaving Russia voluntarily. Despite their threats of bodily harm, I didn't sign any papers. I decided to stand up for my rights in Russian courts and the European Court of Human Rights in Strasbourg."

Haji-Bairam said that he had written to the president of Kabardino-Balkaria, Valery Kokov, and the president of the International Circassian Association, Zaurby Nakhushev, asking for their protection, but neither responded.

No official in Kabardino-Balkaria has commented publicly on the case and none were prepared to be interviewed for this article.

Haji-Bairam's lawyer, well-known human rights activist Iskhak Kuchukov, told IWPR that his client had not broken any laws and that the charges against him were "primitive police fabrications".

“But even though the Russian prosecutor’s office admitted to wrongful deportation in his case, prosecutors in Kabardino-Balkaria still refuse to bring to justice the judges and law enforcement officials who took those wrongful decisions,” Kuchukov said.

Haji-Bairam’s ancestors were nobility from the Kabardins, one of the branches of the Circassians. In 1864, after a hundred years of Russian wars in the Caucasus, they found themselves in Turkey. At that time, the majority of North Caucasus Circassians were forcefully deported to the Ottoman Empire. The Circassian diaspora outside the North Caucasus is estimated to be around six million people, of whom roughly five million live in Turkey. About 3,000 Circassians have returned to Russia since the Gorbachev era and mostly live in Kabardino-Balkaria and Adygea.

In the early 1990s, the Circassian national movement Hase urged the authorities of Kabardino-Balkaria and Adygea to open their doors to compatriots abroad. The two republics' parliaments passed a law on repatriation that was supposed to regulate all legal, social and economic issues related to the repatriation.

However, over the last few years, the national movements have weakened considerably, while the law on repatriation was suspended for contradicting federal legislation. The new federal law on citizenship made the process of obtaining Russian citizenship more complicated and equated the Circassians with other ethnic groups by requiring them to demonstrate fluency in Russian as a condition of citizenship.

At the same time, many of the returnees had a hard homecoming, with one prominent businessman being kidnapped for ransom and taken to Chechnya and others complaining of extortion. Many went back to Turkey.

Zaur Naloyev, former head of the Hase movement, told IWPR that he believed the authorities had a deliberate policy of discouraging repatriation, which “ became possible only after the destruction of the national movement”. Many foreign Circassians have been denied permanent resident permits, visa extensions or entry visas.

“I don’t consider all those lawless acts simply sad mistakes; they are deliberate efforts aimed at stopping the Circassians from returning to their ancestral home,” said Naloyev.

Businessman Kip Imdat, a spokesman for the returnees, was granted Russian citizenship 10 years ago. “Circassians are very unlikely to return to Russia en masse in the near future because of Russia’s poor socio-economic situation. The majority of those people [who have] are driven by nostalgia, and they are ready to live in their homeland under any conditions. They are prepared to become Russian citizens and to meet all the challenges that Russian citizens are up against. We simply ask for the most basic adaptation conditions for the resettlers and for guarantees of their safety, considering that they were born and raised in a different country,” he said.

A source in Kabardino-Balkaria power structures, who spoke on the condition of anonymity, admitted to IWPR, “Our secret services frequently fabricate spy cases in order to demonstrate to their superiors that they are working to prevent terrorism and fight Wahhabism (radical Islam). Haji-Bairam’s case is a classic example of that. Secret service arguments against him could have been something like ‘he speaks several languages, is well-connected in Russian and Turkish business circles, knows religious leaders, goes to the mosque, etc’

“Having said this, there are also cases when some returnees raise unfounded complaints against authorities. It would be hard to deny that there could be certain individuals among our compatriots with links to the Turkish secret service.”

After his victory in Strasbourg, Bolat Haji-Bairam said, “Many often ask me if I really want to go back after all that happened to me there. I tell them, yes, I’ll go back for sure. I consider the Caucasus, Russia my ancestral homeland.”

Valeriy Khatzhukov is chairman of the Public Human Rights Centre, regional division of the Movement for Human Rights in Nalchik, Kabardino-Balkaria.

Location: [Caucasus](#)
[Turkey](#)
[Stavropol](#)
[South Ossetia](#)

Source URL: <https://iwpr.net/global-voices/kabardino-balkaria-circassian-clears-last>