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Delays Beset Politkovskaya Case

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The accused sitting in the dock during a hearing into the case in February 2009. **Andrei Makhonin / Vedomosti**

Seven years and 51 days have passed since journalist Anna Politkovskaya was killed in her apartment building in central Moscow, but so far only one person has been convicted in connection with the crime, leaving her family and former colleagues frustrated with the lack of progress in the case.

This year saw the start of a much-anticipated jury trial of five men suspected of carrying out the killing, but earlier this month a Moscow City Court judge dissolved the jury, justifying the move by saying many of the jurors had been dismissed since the beginning of the trial. Hearings were suspended until mid-January and may not start up again until even later.

Of even greater concern to her loved ones is the dearth of clues regarding the key detail of the case: who ultimately stands behind the brutal killing.

"It is important to remember that this is just a small group of people," said Ilya Politkovsky,

Politkovskaya's son, about the five men currently on trial. They are Chechnya natives Lom-Ali Gaitukayev, his three nephews Rustam, Ibragim and Dzhabrail Makhmudov, and former Moscow police officer Sergei Khadzhikurbanov.

"I want them to get their sentences, but I also want to know who else was involved in the murder. It is crucial not to lose the main focus and to find those who masterminded it," he said.

Politkovskaya, who worked for opposition-leaning newspaper Novaya Gazeta and investigated human rights violations and crimes in Chechnya as well as corruption in the Russian government, was shot dead in the elevator of her apartment building on Oct. 7, 2006. Investigators believe she was killed over her articles, which were often critical of the Kremlin's policies in the North Caucasus and of the leadership in Chechnya.

Politkovskaya's family and especially her children, Ilya and Vera, actively participate in court hearings and believe that separate investigations by prosecutors and Novaya Gazeta will eventually find out who ordered the killing of their mother. But the clues as to who that might be are currently scarce, Ilya Politkovsky said.

Novaya Gazeta editor-in-chief Dmitry Muratov said last year that prosecutors intentionally did not make public the name of the organizer because it was one of the "most untouchable persons in Russia."

The newspaper's current investigation is focused on finding new people involved in the killing.

"There is no doubt that the person who masterminded the murder occupies a top station in life, so some resistance to our investigation is probably caused by this fact," Sergei Sokolov, Novaya Gazeta's deputy editor-in-chief who is investigating the killing of Politkovskaya, said by phone.

"At the same time, those who committed the murder were professional killers, they accepted orders from everyone, so it is very difficult to trace the links between organizers of the crime and its perpetrators," Sokolov said.

Politkovskaya's family, their lawyer and Sokolov all said they expected the trial that started in July to end with the jury making a judgment regarding the involvement of the five men, and they assumed new facts would come out about the killing at the hearings. They said it came as a surprise to them when the Moscow City Court judge dissolved the jury, and Sokolov said Novaya Gazeta is looking into the reasons behind why it happened.

Anna Stavitskaya, a lawyer for Politkovskaya's family, said the likely reason was that there were periods during the trial when there were no hearings and jurors began to leave because they did not want to waste their time on it. She also said that lawyers for the defendants filed large numbers of motions but that it was unlikely they had deliberately tried to influence the decision of some jurors to leave.

But Sokolov said he thought the defense lawyers were trying to extend the trial unnecessarily to make everyone tired of it.

"They were constantly raising procedural questions during which the jury was sent to another room. During a single day the jury could be sent out several times, and there were days when the lawyers initiated a several-hour-long discussion with the judge, while jury members who came to the court were eventually not allowed in to the courtroom at all," he said.

Some of the reasons for jurors leaving the trial were "strange," Sokolov said. Two jurors said they were ill and could no longer participate; another two were excluded by prosecutors, who said one of them had made a judgement concerning the result of the trial to her colleagues; and a fifth member of the jury had not informed the court about an expired criminal record. Earlier this month, another four jurors said they were quitting.

A new jury is expected to be chosen Jan. 14, but Sokolov said another delay was likely and that a new jury would probably be convened only in early February.

He also said the result of the trial would depend on how strictly the judge controlled the hearings, saying that so far the judge had permitted chaos in the courtroom.

"Novaya Gazeta and [Politkovksaya's] family will do everything to make sure those who committed this crime are punished," said Stavitskaya, who called it a considerable achievement that former police officer Dmitry Pavlyuchenkov was sentenced last year to 11 years behind bars for conspiring to commit the killing of Politkovskaya.

Pavlyuchenkov is the only person to have been convicted in the Politkovskaya case. At first a witness for the prosecution, he pled guilty and said the five men who are facing trial now were involved in the crime.

He also said the killing was ordered by exiled businessman Boris Berezovsky, who died earlier this year in London, and exiled Chechen separatist Akhmed Zakayev, but that accusation has not been been proven.

"The good thing is that a lot has changed from the first trial that ended in a not-guilty verdict in 2009. New people are now on the defendants' bench and we managed to prove that Pavlyuchenkov was one of the accomplices," Sokolov said, adding that it provided hope that eventually all the people involved in the killing would be identified.

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