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Russian Federation: European Court of Human Rights rulings on six cases from the Chechen Republic

Amnesty International welcomes the judgements of the European Court of Human Rights released today on six cases from the Chechen Republic. The Court ruled that the Russian Federation had violated the fundamental right to life of the civilians in these cases during the armed conflict in Chechnya.

The European Court of Human Rights ruled that there had been violations of the right to life and the prohibition of torture as well as the right to an effective remedy and the peaceful enjoyment of possessions (Articles 2, 3 and 13 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and Article 1 of Protocol 1 to the ECHR).

In the cases of *Khashiyev v. Russia* and *Akayeva v. Russia*, the European Court ruled that the deaths of the relatives of the applicants who had been killed by servicemen were attributable to the State, amounting to a violation of the right to life (Article 2). In the judgement concerning the cases of *Isayeva v. Russia*, *Yusupova v. Russia*, *Bazayeva v. Russia* and in the separate judgment concerning a sixth case, *Isayeva v. Russia*, the European Court found that the Russian authorities had failed to protect the right to life of the applicants and their relatives, in the planning and execution of military operations. The Court awarded financial compensation to the applicants in all six cases.

"The European Court ruled in all six cases that the failure of the Russian authorities to carry out effective investigations into the incidents amounted to a violation of the right to life and to an effective remedy (Article 13). This shows Russia's consistent failure not only to protect human rights in the course of the armed conflict, but also to ensure justice for victims of human rights through effective investigations and prosecutions of those responsible," Amnesty International said.

"These judgements are a significant step to end impunity against human rights violations in Chechnya because they recognize that serious human rights violations have taken place and that the Russian Federation bears the responsibility."

Many people who have submitted cases to the European Court of Human Rights, including those whose cases have been decided now in Strasbourg, have been subjected to reprisals. Some have been intimidated, some have been repeatedly harassed by law enforcement officials and some have been killed or "disappeared". Despite a serious risk for their own safety and for the safety of their families, relatives of those who were tortured and ill-treated or "disappeared", or whose possessions were destroyed in indiscriminate attacks on civilians, refuse to allow themselves to be silenced and continue to demand justice.

Amnesty International calls on the government of the Russian Federation:
to implement the judgements of the European Court of Human Rights without delay;
to take immediate steps to end further human rights violations in the context of the armed conflict in Chechnya;
to investigate all allegations of human rights violations and bring those responsible to justice in a court of law;
to take effective measures to prevent any further reprisals against any person who seeks a remedy before the European Court of Human Rights;
to ensure that all allegations of such reprisals are investigated promptly, thoroughly and independently and that all persons responsible for such crimes are brought to justice in a court of law.

Background

Throughout the ongoing armed conflict in Chechnya, Amnesty International has called on the Russian federal and Chechen authorities to bring to justice in a court of law those who have committed serious human rights violations, including extrajudicial executions, "disappearances", torture, including rape, ill-treatment in detention and indiscriminate attacks on civilians.

The six cases, brought by the European Human Rights Advocacy Centre in partnership with the Memorial Human Rights Centre, concern:
the aerial bombing by the Russian federal forces of a civilian convoy of refugees fleeing Grozny in October 1999 (*Isayeva v. Russia* (no. 57947/00), *Yusupova v. Russia* (no. 57948/00) and *Bazayeva v. Russia* (no. 57949/00)); the case involved the killing of the first applicant's two children and daughter-in-law;
the "disappearance" and subsequent discovery of the dead bodies of five individuals in Grozny in January 2000, showing signs of torture and ill-treatment (*Khashiyev v. Russia* (no. 57942/00) and *Akayeva v. Russia* (no. 57945/00));
the aerial and artillery bombing of the village of Katyr-Yurt on 4 February 2000, resulting in the killing of the applicant's son and three nieces (*Isayeva v. Russia* (no. 57950/00)).

The full judgments are available at www.coe.int.

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