

# AMNESTY INTERNATIONAL

## Public Statement

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### **Russian Federation: European Court of Human Rights rulings on Bitiyeva and X v. Russia**

Amnesty International welcomes the judgment of the European Court of Human Rights released today on the case of *Bitiyeva and X v. Russia*.

Zura Bitieva (or Bitiyeva) was a well-known peace activist in the Chechen Republic, Russian Federation. She had spoken out against the armed conflict there and the human rights violations committed during the conflict, organizing marches and demonstrations for peace by Chechen women. She was arbitrarily detained in Chechnya in 2000, and subsequently extra-judicially executed, along with three other family members, in 2003.

The European Court of Human Rights ruled that in this case, the Russian Federation had violated the right to life, the prohibition of inhuman and degrading treatment and the right to liberty and security as well as the right to an effective remedy (Articles 2, 3, 5 and 13 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)).

The case of Zura Bitieva is a stark example of the dangers faced by those who have dared to demand justice and speak out against the conflict and against the human rights violations committed during the conflict in Chechnya. Zura Bitieva's is not an isolated case. Many people in Chechnya who have submitted cases of serious human rights violations to the European Court of Human Rights have been subjected to reprisals. Some have been intimidated, some have been repeatedly harassed by law enforcement officials and some have been killed or forcibly disappeared. Despite a serious risk for their own safety and for the safety of their families, many refuse to allow themselves to be silenced and continue to demand justice.

Zura Bitieva, born in 1948, had filed an application at the European Court of Human Rights following her release from detention in an unofficial detention centre at Chernokozovo, Chechnya, in early 2000. She and three other members of her family were subsequently killed at home, on 21 May 2003, by unidentified armed men in camouflage, who according to eyewitness statements spoke Russian and travelled in military vehicles through roadblocks during curfew hours. X, Zura Bitieva's daughter, has maintained that her mother was killed by Russian State agents in retaliation for her application to the European Court of Human Rights.

The detention of Zura Bitieva in Chernokozovo, given her age, the poor conditions of detention there, and the lack of adequate medical care for her existing medical conditions, entailed, according to the Court, a level of suffering that amounted to inhuman and degrading treatment. Her detention there was arbitrary and in "total disregard of the requirement of lawfulness". The Court noted that the use of unofficial places of detention, such as Chernokozovo, "fosters impunity for all kinds of abuses and is absolutely incompatible with the responsibility of the authorities to account for individuals under their control."

The Court concluded that the deaths of Zura Bitieva and her three relatives could be attributed to the State. X, Zura Bitieva's daughter, had made out a *prima facie* case that Zura Bitieva, Ramzan Iduev (or Idueyev), Idris Iduev (or Idueyev) and Abibakar Bitiev (or Bitiyev) had been extra-judicially executed by State agents, and the Russian government had failed to provide any other explanation for the events. X had been denied an effective remedy, as the Russian authorities had failed in their obligation to conduct an effective, prompt and thorough investigation into the killings.

According to the judgment, the Russian authorities also fell short of their obligations to supply all necessary information to the Court (Article 38 of the ECHR).

In the light of the judgment, Amnesty International reiterates its call on the government of the Russian Federation:

- o to implement the judgments of the European Court of Human Rights without delay;
- o to take immediate steps to end further human rights violations, including arbitrary, incommunicado and secret detention, torture, ill-treatment and extra-judicial executions in the context of the armed conflict in Chechnya;
- o to investigate all allegations of human rights violations and bring those responsible to justice in a court of law that meets international standards of fair trial;
- o to take effective measures to prevent any further reprisals against those who work to expose human rights violations, and any person who seeks a remedy before the European Court of Human Rights;
- o 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 that meets international standards of fair trial.

**The full judgment is available at [www.coe.int](http://www.coe.int)**