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For immediate release

Russia found responsible in another Chechen disappearance case

On 27 May 2010, in the case of *Khutsayev and Others v Russia* (No.16622/05), the European Court found Russia responsible for the disappearance of Beslan Khutsayev, Movsar Khutsayev and Adam Didayev in December 2001 from the village of Gekhi in Chechnya. The applicants (members of the victims' families) were represented before the Court by the European Human Rights Advocacy Centre (EHRAC), based at London Metropolitan University, and the Russian NGO Memorial HRC.

The victims were detained on 16 December 2001, by armed masked men in camouflage, following a search of their houses during which several family members were beaten and property was seized. The men were last seen being put into Russian military vehicles. The victims' families immediately began to search for their relatives and applied to various official bodies requesting help, however, they were not able to establish their whereabouts or fate.

In line with its previous case law, the European Court concluded that the applicants' family members were detained by Russian servicemen, that they must be presumed dead and that their death was attributable to Russia in violation of Article 2 (right to life) of the European Convention on Human Rights (ECHR).

It further held that the authorities had failed to carry out an effective criminal investigation into the circumstances surrounding the disappearances and that during the course of the domestic investigation a number of crucial investigative steps were either significantly delayed or never taken at all.

Violations were also found of Article 3 (inhuman and degrading treatment) in regard to the beating of the applicants and their relatives on 16 December 2001, and in regard to the suffering of the victims' relatives during the investigation period; Article 5 (right to liberty and security) as the victims were held in unacknowledged detention in circumstances that were "*incompatible with the very purpose of Article 5*"; Article 8 (right to respect for private and family life) and Article 1 of Protocol 1 (protection of property) in regard to the search and seizure of the applicants' property; and Article 13 (right to an effective remedy) as the investigation was so ineffective that it undermined the effectiveness of any other remedy that might have existed.

The Court awarded the applicants a total of 143,662 EUR in damages.