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**For immediate release**

## **European Court: Russia guilty of torturing Chechen**

Today, in the case of *Gisayev v Russia* (No. 14811/04), the European Court of Human Rights found that Russia was responsible for Akhmed Gisayev's torture at the hands of State agents in October 2003 in violation of the prohibition of torture (Article 3 of the European Convention on Human Rights). Mr Gisayev was awarded 55,000 euros in damages. He was represented by the European Human Rights Advocacy Centre (EHRAC), based at London Metropolitan University, and the Russian NGO, Memorial HRC.

At about 7 a.m. on 23 October 2003, a group of 20-30 men in camouflage uniforms bearing the insignia 'Armed Forces of Russia' burst into the Gisayev family home in Grozny and took Akhmed away in a vehicle with a shirt placed over his head.

Akhmed told the Court that he was taken to an unknown building where he was interrogated as to his membership or knowledge of illegal armed groups. He was threatened with violence against himself and his family for refusing to confess to anything. Over the next two weeks Akhmed was repeatedly beaten and tortured. Electric currents were run through his body, he was beaten with a truncheon, his hands and feet were burnt with cigarettes, he was hung by his arms for long periods, was forced to inhale a suffocating substance through a gas mask and made to drink alcohol and smoke cigarettes, which was insulting to him as a devout Muslim.

On 8 November 2003, Akhmed was taken to a roadside near Grozny where one of his relatives paid a ransom of 1,500 USD for his release. On returning home he suffered major health problems: insomnia, severe brain contusion and headaches, he could hardly walk and experienced loss of coordination and memory.

The Court was satisfied that Akhmed had provided a 'coherent' and 'convincing' account of his abduction and torture. It drew inferences from Russia's failure to submit the documents from the domestic investigation into the events to the Court, or to provide a plausible explanation of them. Consequently, it ruled that it was Russian State agents who had kidnapped Akhmed and held him in unacknowledged detention in violation of Article 5 (right to liberty and security) and subjected him to torture in breach of Article 3 (prohibition of torture).

There was a further violation of Article 3 due to the authorities' failure to carry out a thorough and effective investigation into Akhmed's allegations of torture. This investigation was "plagued by critical delays and omissions" and the Court was:

*"[...] struck by the manifestly disproportionate response of the authorities to the serious allegations of ill-treatment made by the applicant, which, in the Court's opinion, can be characterised only as a lack of genuine determination to elucidate the relevant circumstances and to identify and punish those responsible."*

EHRAC's Director, Prof. Philip Leach, said:

*"This decision confirms that torture is still being practised by the Russian security forces – in this case involving electric shocks, cigarette burns and suffocation. The Russian authorities must take the requisite steps to ensure its immediate eradication in all circumstances."*