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25 September 2008
For immediate release

Russia responsible for killings caused by shelling Chechen village

Today the European Court of Human Rights found Russia responsible for shelling a Chechen village in October 1999, resulting in the death of Ruslan Mezhidov's parents, brother and two sisters, in violation of Article 2 (right to life) of the European Convention on Human Rights. The Court ordered Russia to pay €100,000 in damages. Ruslan Mezhidov was represented before the Court by lawyers from the London-based European Human Rights Advocacy Centre (EHRAC) and the Russian NGO, *Memorial*.

Ruslan Mezhidov had alleged that on the evening of 5 October 1999, five or six shells were fired on the village of Znamenskoye from a mountain range where Russian troops were stationed. He produced a sketch map of the location of shell craters, witness statements and an expert report finding that splinters from the scene were from large-calibre artillery shells.

The European Court found that the Russian authorities "blankly" denied responsibility for the events, but "made no meaningful attempts to contest any of the applicant's arguments, or comment on the evidence adduced by him." Their arguments were "unreliable and unsupported by the facts." Therefore, the Court found that it:

"cannot but accept the applicant's argument that the large-calibre shells [...] could only be fired from heavy artillery pieces, and that such guns were presumably in the exclusive possession of the Russian armed forces."

The official investigation into these events was delayed, and once opened:

"it was plagued with inexplicable shortcomings in taking the most essential steps. In particular, it does not appear that any forensic examination or autopsy of the bodies was ever carried out with the result that the investigating authorities were deprived of information about the state of the bodies or the type of injuries sustained, which could have enabled them to establish the cause of the deaths of the applicants' relatives."

The investigation was also adjourned and reopened at least six times in seven years and the "Government did not advance any plausible explanation for such considerable periods of inactivity."

The Court also found violations of Article 13 (right to an effective remedy) and Article 38 (failure to submit documents requested by the Court).

EHRAC's Director, Professor Philip Leach said:

"This judgment illustrates the Russian authorities' complete disrespect for victims of gross human rights violations in Chechnya, as is shown by their totally inadequate investigations of atrocious events. As this judgment shows, the Russian Government has failed to respond in any meaningful way to the evidence concerning the deaths of five members of the Mezhidov family."