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For immediate release

European Court: Russian military responsible for Chechen disappearance

Today, in the case of *Alaudinova v Russia* (No. 32297/05), the European Court of Human Rights found Russia responsible for the “presumed death” of Bekkhan Alaudinov in violation of Article 2 (right to life) of the European Convention on Human Rights (ECHR). The applicant, Lipa Alaudinova, Bekkhan’s mother, was represented before the Court by the European Human Rights Advocacy Centre (EHRAC), based at London Metropolitan University, and the Russian NGO, Memorial.

Mrs Alaudinova told the Court that on 8 November 2001, she was at home in Urus-Martan, Chechnya, with her two sons, Bekkhan and Aslanbek. The town was under the control of the Russian army and a curfew was in place. At around 4.30am armed men in camouflage uniforms arrived at the house and conducted a search. The servicemen ordered Bekkhan to dress, confiscated his passport and took him outside. Lipa Alaudinova followed and saw her son being put into one of several military vehicles, which then drove away towards the town centre.

Later that morning Mrs Alaudinova began searching for her son and visited several military and civilian authorities, but all denied having any information. She also contacted various official bodies in writing and in person asking for help in locating Bekkhan. Official investigations produced no results and Mrs Alaudinova applied to the European Court in August 2005.

In its judgment the Court found that Bekkhan Alaudinov was apprehended on 8 November 2001 by State servicemen during an unacknowledged security operation and that he must now be presumed dead (following his detention by State servicemen). There was therefore a violation of the right to life (Article 2 ECHR). Article 2 was also breached because of the failure to carry out an effective criminal investigation, which had been “repeatedly suspended and resumed”, was “plagued by inexplicable delays”, had been pending for many years and had produced no tangible results.

The Court also found that Mrs Alaudinova had been the subject of inhuman treatment (in breach of Article 3) because she had suffered distress and anguish as a result of the disappearance of her son and her inability to find out what happened to him. The Court found a “particularly grave violation” of the right to liberty and security (Article 5 ECHR) because Bekkhan Alaudinov’s detention “was not acknowledged, was not logged in any custody records and there exists no official trace of his subsequent whereabouts or fate”. There was also a breach of Article 13 of the Convention because of the failure to provide Mrs Alaudinova with any effective and practical domestic remedies.

The Court awarded Mrs Alaudinova €35,000 (euros) in damages.

[End]