



26 July 2007
For immediate release

European Court condemns “cold-blooded execution” of civilians by the Russian armed forces in Novye Aldy, Chechnya

Today the European Court of Human Rights ruled on three cases brought against Russia by five Chechens in relation to a notorious military operation in the settlement of Novye Aldy on 5 February 2000. The Court found Russian servicemen responsible for the killing of eleven of the applicants' relatives, in violation of Article 2 of the European Convention. It also found violations of Articles 3 (inhuman treatment) and 13 (right to an effective remedy). It awarded the applicants a total of 143,000 euros in moral damages. The applicants were represented before the Court by the London-based European Human Rights Advocacy Centre (EHRAC) and the Russian NGO, Memorial.

In unprecedented language the Court condemned the fact that:

“...notwithstanding the domestic and international public outcry caused by the cold-blooded execution of more than 50 civilians, almost six years after the tragic events in Novye Aldy no meaningful result whatsoever has been achieved in the task of identifying and prosecuting the individuals who had committed the crimes. In the Court's view, the astonishing ineffectiveness of the prosecuting authorities in this case can only be qualified as acquiescence in the events.”

On 5 February 2000, Yusup Musayev was a witness to nine killings, seven of them his relatives. Suleyman Magomadov and Tamara Magomadova alleged that three neighbours witnessed the burning of a house belonging to their relatives. The neighbours discovered the remains of Suleyman's brothers, Salman and Abdula Magomadov in the cellar of the house. Khasan Abdulmazhidov and his wife, Malika Labazanova complained of the shooting of Khasan's sister and brother, Zina Abdulmezhidova and Khuseyn Abdulmezhidov.

In its judgment the Court concluded that the applicants' relatives were killed by Russian servicemen of the St Petersburg OMON (special police forces). However, it was highly critical that:

“no explanation has been forthcoming from the Russian Government as to the circumstances of the deaths, nor has any ground of justification been relied on by them in respect of the use of lethal force by their agents.”

The Court was particularly critical of the Russian authorities' conduct of the investigation into the events of 5 February 2000, finding there was "a series of serious and unexplained delays and failures to act..." including the failure to promptly identify victims and possible witnesses and to take statements from them.

The Court also found that Russia had subjected Yusup Musayev to inhuman treatment (in violation of Article 3) as he had witnessed the extrajudicial execution of several of his relatives and neighbours, was himself threatened at gunpoint, and that the response of the authorities to these events had been "wholly inadequate".

The evidence submitted by the applicants included NGO reports (the Human Rights Watch Report, '*February 5: A Day of Slaughter in Novye Aldy*' (June 2000) and Memorial's report, '*Mopping Up. Settlement of Novye Aldy, 5 February 2000 – Deliberate Crimes Against Civilians*' (July 2000)) and video evidence taken four days after the killings.

Philip Leach, Director of the European Human Rights Advocacy Centre (and one of the applicant's legal representatives) said:

"The Court has used unprecedented, damning language in finding the Russian military responsible for this civilian massacre. As the Court has identified the special police forces unit that committed these atrocities, there can be no excuses for failing to bring those involved to justice."