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For immediate release

European Court finds Russia responsible for indiscriminate killing of Chechen

Today, in the case of *Khalitova v Russia*, the European Court of Human Rights found that Russian servicemen indiscriminately shot and killed father of three, Lecha Khazhmuradov in violation of Article 2 (right to life) of the European Convention on Human Rights. The applicant, Luiza Khalitova (Lecha's wife), was represented by the European Human Rights Advocacy Centre (EHRAC) and the Russian NGO, Memorial. The Court awarded her 35,000 euros in damages.

On 11 September 2000, Lecha Khazhmuradov and another man, Mr D, went to collect wood in a forest near their village of Goyskoye, Chechnya. At around 3pm they met two other villagers, Mr A and Mr K, in some fields nearby. According to Mr A and Mr K some time later a number of armed Russian servicemen arrived in two armoured personnel carriers. Without warning the servicemen opened fire indiscriminately across the field. Lecha and Mr D were killed, and the servicemen dropped their bodies into a nearby river and drove away. The villagers then retrieved the corpses and informed the law-enforcement agencies about what had happened.

From the evidence available the Court had 'little doubt' that the perpetrators were equipped with armoured personnel carriers and that such vehicles were likely to be in the exclusive possession of the State. Furthermore, it found that:

"In a situation where a group of armed men was able to move freely in heavy military vehicles, and to open heavy fire in broad daylight within a territory which was under the control of the federal forces, and, in particular, in the close proximity of a federal military unit, the Court cannot but reach the conclusion that those men were State agents."

As Russia offered no plausible explanation for the actions of its agents, it was found to have violated Article 2. A further violation of Article 2 was found as the investigation into Lecha's death was neither thorough nor effective. The Court found:

"In particular, it does not appear that any meaningful efforts were made to investigate the possible involvement of federal military personnel in the murder of the applicant's husband despite strong evidence of that possibility, and notably statements of at least three eyewitnesses [...]."

Russia was also found to be in violation of Article 13 (right to an effective remedy) as the failings in the investigation undermined any other remedy that may have existed.

EHRAC's Director, Prof. Philip Leach said:

"This case provides us with another reminder of the atrocious conduct of the Russian forces in Chechnya. Two men were shot and killed without warning and for absolutely no apparent reason. The investigation conducted at the time was hugely inadequate, but the Government could now rectify this and in so doing provide some form of redress to Lecha's family."

[End]