



Chamber hearing concerning Russian authorities' response to the 2004 terrorist attack on school in Beslan

The European Court of Human Rights is holding a **Chamber hearing** today **Tuesday 14 October 2014 at 9 a.m.** in the case of **Tagayeva and Others v. Russia** (application no. 26562/07)

The case concerns the terrorist attack on a school in Beslan, North Ossetia (Russia), in September 2004, and the ensuing hostage-taking, siege and storming of the school, which resulted in the deaths of over 330 civilians, including over 180 children.

The hearing will be broadcast from 2.30 p.m. on the Court's Internet site (www.echr.coe.int). After the hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage.

The case originates in seven applications, brought by 447 Russian nationals. It concerns the terrorist attack on a school in Beslan, North Ossetia (Russia), in September 2004, and the ensuing hostage-taking, siege and storming of the school, which resulted in the deaths of over 330 civilians, including over 180 children, and injuries to over 750 persons. Some of the applicants were taken hostage and/or injured; others are family members of those taken hostage, killed or injured.

In the morning of 1 September 2004 a group of heavily armed terrorists arrived in Beslan from neighbouring Ingushetia. They entered the courtyard of the school during a ceremony to mark the opening of the school year and forced over 1,100 of the attendees (among them about 800 children) into a ground-floor gymnasium, which they proceeded to rig with explosive devices. Several hostages were killed later that day. Others were kept in appalling conditions, without food, water or medicines and under threat of execution.

The authorities' immediate response to the crisis included the setting up in Beslan of operative headquarters composed of senior officials of various federal and Ossetian authorities. This body was charged with negotiations with the terrorists, cordoning off the site, ensuring cooperation with the medical and rescue teams and coordination between the military and security agencies involved. This body also supervised the contacts with the media and the hostages' relatives outside of the school. The actions of the operative headquarters were evaluated in a later criminal investigation and found appropriate and correct in the circumstances.

On 3 September several explosions ripped through the gymnasium, causing multiple casualties among the hostages. These explosions caused fire in the gymnasium which could not be contained until later in the day.

A series of forensic reports commissioned by the investigators indicated that the first explosions in the gymnasium were caused by the devices that had been placed by the terrorists. Some applicants, however, maintain that the first two explosions were caused by external sources, pointing to various documents and testimonies. After the first explosions the security forces stormed the building and met with fierce resistance by the terrorists. Numerous hostages and members of the security forces died or were injured during the storming. All but one of the terrorists are presumed to have been killed on 3 September. The official investigation attributed all civilian casualties to the terrorists' actions.

The events gave rise to a number of legal proceedings in Russia, in which the applicants and other victims of the events have actively participated. The original criminal investigation opened into the

terrorist attack remains pending to this day. The trial of the only surviving terrorist ended with his conviction in December 2006. Two sets of criminal proceedings on charges of professional negligence were brought in respect of the local police officers in Beslan and in Ingushetia, where the terrorists had trained and gathered prior to 1 September 2004. These two prosecutions resulted, in 2007 and 2008, in the application of an amnesty act and acquittal by jury. Finally, some of the victims pursued civil remedies against the State authorities for their alleged failure to prevent the terrorist act.

In addition to the criminal and civil proceedings, two parliamentary reports about the events were prepared by the North Ossetia Parliament and by the Russian Federal Assembly.

Relying on Article 2 (right to life), the applicants maintain, in particular: that the State has failed in its obligation to protect the victims from the known risk to their lives; that there was no effective investigation into the events; and that many aspects of the planning and control of the negotiations and rescue operation were deficient. Some applicants maintain that the deaths were the result of a disproportionate use of force by the authorities. Some applicants further allege violations of Articles 3 (prohibition of inhuman or degrading treatment), 6 (right to a fair trial), 8 (right to respect for private and family life), 10 (freedom of expression) and 13 (right to an effective remedy) of the Convention.

Procedure

The seven applications were lodged with the European Court of Human Rights between June 2007 and May 2011. The case was [communicated](#) to the Russian Government for observations on 10 April 2012.

Composition of the Court

The case will be heard by a Chamber, composed as follows:

Isabelle Berro-Lefèvre (Monaco), *President*,
Mirjana Lazarova Trajkovska ("The former Yugoslav Republic of Macedonia"),
Julia Laffranque (Estonia),
Linos-Alexandre Sicilianos (Greece),
Erik Møse (Norway),
Ksenija Turković (Croatia),
Dmitry Dedov (Russia), *judges*,
Elisabeth Steiner (Austria),
Khanlar Hajiyev (Azerbaijan),
Paulo Pinto de Albuquerque (Portugal), *substitute judges*,

and also Søren Nielsen, *Section Registrar*.

Representatives of the parties

Government

Georgy Matyushkin, *Agent*,
Tatyana Korolkova, Yana Tsimbalova, Dmitriy Gurin, Mikhail Lomov, Stanislav Kovpak, Yuliya Kotsba
and Andrey Legoshin, *Advisers*;

Applicants

Kirill Koroteyev, Mikhail Trepashkin and Sergey Kniazkin, *Counsel*,
Jessica Gavron, *Adviser*;

The following applicants will also attend the hearing:

Emma Tagayeva, Svetlana Margiyeva, Zhanna Tsirikhova, Emiliya Bzarova, Ella Kesayeva, Boris Tigiyev, Zempfira Tsirikhova, Mzevinari Kokoyti, Fatima Kelekhsayeva, Irina Doguzova, Marina Kodzayeva, Tamerlan Agayev, Irina Dzagoyeva, Zarina Dzampayeva, Fatima Kelekhsayeva, Irina Morgoyeva, Kanna Gaitova, Aneta Gadiyeva, Susanna Dudiyeva, Rita Sidakova, Marina Pak

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.