2015 marked a significant anniversary for EHRAC – it is ten years since, working with Memorial HRC, we won our first cases before the European Court of Human Rights relating to gross human rights violations perpetrated by the Russian security forces in Chechnya and the surrounding North Caucasus region. Since then, the Court has found the Russian State responsible for violations of the European Convention on Human Rights (ECHR) in several hundred cases, concerning aerial and artillery bombardment, enforced disappearances and extra-judicial executions. We continue to fight for justice for the victims of these cases today.

Over the years, the backdrop against which civil society operates in Russia has changed with new laws having been introduced in order to stifle NGO activity and critical voices. Hostile attitudes towards those who are working to uphold human rights standards are also common in the South Caucasus countries, and we are involved in a number of important cases where the rights of protesters and human rights defenders have been violated – especially in Azerbaijan where we have been advising on the cases of jailed human rights defenders Intigam Aliyev, Rasul Jafarov and Leyla and Arif Yunus, amongst others. In Ukraine, we seek to hold both the Ukrainian and Russian Governments accountable on behalf of victims of the conflict in the Donbas region.

Although the regional context is constantly changing, we are unwavering in our mission to give a voice to marginalised groups and vulnerable individuals. This year was also one of growth and development for EHRAC. With an additional Lawyer and a new Finance and Grants Officer, we have strengthened our existing expertise, while expanding into new thematic areas. Several of our high-profile cases came to judgment, all of which have the potential to bring about legislative and policy change. We launched distance-learning seminars to reach partners in remote areas, focusing on the use of UN mechanisms to combat violence against women: an innovative medium to discuss this very important issue.

We could not do any of this without the very valued support of our interns, partners, advisors, funders and Middlesex University – a huge thank you to them all.

Professor Philip Leach
EHRAC Director

“It has been exciting to see EHRAC grow and develop in 2015, from representing victims of past and ongoing armed conflicts, to continuing to support Russian NGOs in challenging the Foreign Agents law, to developing their litigation on behalf of women and sexual minorities. EHRAC, together with partners, continues to play a significant role in securing justice for victims of human rights violations and shaping legal standards. And it is to be noted with pride and satisfaction that on 4 December 2015 EHRAC lawyers helped to win a very significant victory and a momentous development of the law of mass surveillance – the system of secret interception of mobile telephone communications in Roman Zakharov v Russia – a splendid end to the year.”
Bill Bowring, Chair of the International Steering Committee

“EHRAC continues to do highly important strategic work. Highlights of this year have included positive decisions by the European Court in a property restitution case from Nagorno-Karabakh and by the UN Women’s Committee (CEDAW) in the first case against Georgia involving domestic and sexual abuse. Both cases will have a wider impact within our region, as well as for the applicants themselves, and EHRAC will continue to work with partners and others to implement these decisions. Sadly, the scale of human rights violations within the region continues. I am therefore very pleased to be chairing EHRAC’s Advisory Board. We look forward to supporting EHRAC as it continues its vital work in 2016.”
Samantha Knights, Chair of the Advisory Board
Our Main Partners Organizations

We primarily work with lawyers in NGOs which conduct human rights litigation. Our main partners are listed below. We also respond to requests from individual lawyers if cases fall within our areas of legal expertise and align with our strategic priorities (see pp. 20-25 for our activities in each country).

Russia:
- Memorial Human Rights Centre

Georgia:
- Georgian Young Lawyers’ Association (GYLA); Union Sapari

Azerbaijan:
- We support and work with a number of individual lawyers.

Armenia:
- Helsinki Citizens’ Assembly, Vanadzor (HCAV); Legal Guide; Public Information and Need of Knowledge (PINK Armenia); Foundation Against the Violation of Law

Ukraine:
- Ukrainian Helsinki Human Rights Union (UHHRU); Regional Centre for Human Rights

In Russia, Georgia, Armenia and Ukraine, our partnerships with Memorial HRC, GYLA, HCAV and Sapari are supported by the European Commission, through the European Instrument for Democracy and Human Rights.

How Do We Work?

We conduct strategic litigation at the European Court by mentoring local lawyers in Russia, Georgia, Azerbaijan, Armenia and Ukraine. Together, we identify and litigate human rights cases with potential to effect systemic change; judgments not only secure justice for individual applicants and their families (and in some cases for organisations), but could also impact on hundreds of other people, and prevent similar human rights violations from taking place in the future.

Building the capacity of our partners has always been at the heart of how we operate, as well as mentoring, we conduct training seminars online, in-country or in Strasbourg (the home of the European Court), on specific aspects of strategic litigation. We produce regular publications in Russian and English to raise awareness of human rights violations in the region and drawing attention to recent developments in international human rights protection.

Through advocacy at the Council of Europe (notably the Committee of Ministers), we exert pressure on the relevant states to introduce reforms and address their shortcomings in protecting, promoting and fulfilling human rights.
70 cases litigated at all stages of the European Court process (representing 530 applicants)

8 judgments handed down by the European Court in our cases

6 cases settled by the Georgian government, admitting human rights violations

We won our 1st case before the UN CEDAW Committee*

Applicants in our cases were awarded €621,500

29 lawyers mentored in Russia, Georgia, Azerbaijan, Armenia and Ukraine

39 lawyers attending 4 regional and in-country training events on using Council of Europe mechanisms

37 lawyers and activists participating in 3 webinars on protecting women’s rights

5 written submissions to Council of Europe and European Court officials

8 briefings to high-level diplomats, seeking implementation of judgments

WE HAVE SECURED JUDGMENTS AND SETTLEMENTS IN 127 OF OUR CASES FINDING ONE OR MORE VIOLATIONS OF THE ECHR SINCE 2003

WE’VE HELD 43 TRAINING EVENTS IN THE LAST 12 YEARS WHICH HAVE BEEN ATTENDED BY 948 LAWYERS AND HUMAN RIGHTS ACTIVISTS

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*Committee for the Elimination of Discrimination Against Women

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22,222 visitors to the EHRAc website in the year since its launch in December 2014

2,202 followers on Facebook and 1,206 on Twitter

2,232 copies of the Summer and Winter legal bulletins distributed to lawyers, NGOs, human rights centres and universities, and 2,048 more sent out online

Over 150 people attended 2 awareness-raising events in London

4 videos on our website about our litigation, implementation and capacity-building work

(www.ehrac.org.uk/vZnhN)
Litigation Highlights

During 2015, we pursued 70 cases at all stages of litigation before the European Court of Human Rights, including:

- advising our partners on strategic litigation;
- drafting applications to the European Court;
- responding to government observations;
- drafting applications for and seeking to enforce decisions from the European Court granting emergency interim measures;
- advocating for the effective implementation of judgments on a domestic, regional and international level.

Cases by Violations Claimed

<table>
<thead>
<tr>
<th>Violation</th>
<th>No. of Applicants</th>
<th>Damages Awarded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Right to life</td>
<td>1</td>
<td>€60,000</td>
</tr>
<tr>
<td>Prohibition of torture and ill-treatment</td>
<td>1</td>
<td>€300,000</td>
</tr>
<tr>
<td>Right to liberty and security</td>
<td>1</td>
<td>€40,000</td>
</tr>
<tr>
<td>Right to a fair trial</td>
<td>1</td>
<td>€25,000</td>
</tr>
<tr>
<td>Right to respect for family and private life</td>
<td>1</td>
<td>€8,000</td>
</tr>
<tr>
<td>Freedom of expression</td>
<td>1</td>
<td>€10,000</td>
</tr>
<tr>
<td>Freedom of assembly and association</td>
<td>1</td>
<td>€6,000</td>
</tr>
<tr>
<td>Prohibition of discrimination</td>
<td>1</td>
<td>€4,500</td>
</tr>
<tr>
<td>Limitation on use of restriction on rights</td>
<td>1</td>
<td>€2,000</td>
</tr>
<tr>
<td>Other</td>
<td>1</td>
<td>€40,000</td>
</tr>
</tbody>
</table>

Total: 33 cases

Judgments or decisions were issued in 15 of our cases in 2015. The European Court found violations of the ECHR in eight, and a further six were settled by the Georgian Government*, which admitted responsibility for instances of human rights abuse (see p.13). In addition, the CEDAW Committee decided the first individual complaint against Georgia, which concerned the State’s failure to prevent, adequately investigate and respond to domestic violence and sexual abuse suffered by a mother and daughter (see p.13).

DatE of JudgmenT  CasE ParTner ViolATIONS FouND No. of APPLICANTS DaMages Awarded

<table>
<thead>
<tr>
<th>Date</th>
<th>Case Description</th>
<th>Partner</th>
<th>Violations Found</th>
<th></th>
<th>No. of Applicants</th>
<th>Damages Awarded</th>
</tr>
</thead>
<tbody>
<tr>
<td>15/01</td>
<td>Abakarova v Russia (No. 166640/10)</td>
<td>Memorial HRC</td>
<td>Right to life, Right to an effective remedy</td>
<td>1</td>
<td>Right to life</td>
<td>€60,000</td>
</tr>
<tr>
<td>25/03</td>
<td>Zhabrova v Russia (No. 402144/13)</td>
<td>Memorial HRC</td>
<td>Right to life, Prohibition of torture and ill-treatment, Right to liberty, Right to an effective remedy</td>
<td>3</td>
<td>Right to life</td>
<td>€79,500</td>
</tr>
<tr>
<td>23/04</td>
<td>Kajirov v Russia (No. 35637/10)</td>
<td>Memorial HRC</td>
<td>Right to life</td>
<td>1</td>
<td>Right to life</td>
<td>€20,000</td>
</tr>
<tr>
<td>16/06</td>
<td>Sargsyan v Azerbaidjan (No. 40438/07)</td>
<td>Legal Guide</td>
<td>Right to respect for private and family life, Right to an effective remedy, Right to peaceful enjoyment of possessions</td>
<td>1</td>
<td>Right to respect for private and family life, Right to an effective remedy</td>
<td>€8,000</td>
</tr>
<tr>
<td>13/07</td>
<td>X and Y v Georgia (CEDAW No. 4/2009/96)</td>
<td>GYLA</td>
<td>State duty to investigate, prosecute and remedy violence against women (UN CEDAW Convention)</td>
<td>2</td>
<td>State duty to investigate, prosecute and remedy violence against women (UN CEDAW Convention)</td>
<td>€7,500</td>
</tr>
<tr>
<td>23/07</td>
<td>Studio Maestro v others &amp; Georgia (No. 233184/10)</td>
<td>GYLA</td>
<td>Prohibition of torture and ill-treatment, Freedom of expression</td>
<td>4</td>
<td>Prohibition of torture and ill-treatment, Freedom of expression</td>
<td>€5,000</td>
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<tr>
<td>30/07</td>
<td>Minikashvili v Georgia (No. 187385/10)</td>
<td>GYLA</td>
<td>Prohibition of torture and ill-treatment, Right to liberty, Right to a fair trial</td>
<td>1</td>
<td>Prohibition of torture and ill-treatment, Right to liberty, Right to a fair trial</td>
<td>€5,000</td>
</tr>
<tr>
<td>22/09</td>
<td>Akhalkatsishvili v Abkhazia &amp; Abkhazia v Russia (No. 41373/10)</td>
<td>Memorial HRC</td>
<td>Right to life, Prohibition of torture and ill-treatment, Right to an effective remedy</td>
<td>2</td>
<td>Right to life, Prohibition of torture and ill-treatment, Right to an effective remedy</td>
<td>€60,000</td>
</tr>
<tr>
<td>08/10</td>
<td>Rakhak v others &amp; Georgia (No. 312110/10)</td>
<td>GYLA</td>
<td>Prohibition of torture and ill-treatment, Right to a fair trial, Freedom of assembly</td>
<td>10</td>
<td>Prohibition of torture and ill-treatment, Right to a fair trial, Freedom of assembly</td>
<td>€25,000</td>
</tr>
<tr>
<td>15/10</td>
<td>Abalunova v Russia (No. 166640/10)</td>
<td>Memorial HRC</td>
<td>Right to life, Right to an effective remedy</td>
<td>1</td>
<td>Right to life</td>
<td>€300,000</td>
</tr>
<tr>
<td>29/10</td>
<td>Garay v Russia (No. 39244/10)</td>
<td>Planet of Hopes</td>
<td>Right to free trial, Right to peaceful enjoyment of possessions</td>
<td>1</td>
<td>Right to free trial, Right to peaceful enjoyment of possessions</td>
<td>€2,000</td>
</tr>
<tr>
<td>05/11</td>
<td>Mescgeib v Georgia (No. 4731/10)</td>
<td>GYLA</td>
<td>Prohibition of torture and ill-treatment, Right to liberty</td>
<td>1</td>
<td>Prohibition of torture and ill-treatment, Right to liberty</td>
<td>€4,500</td>
</tr>
<tr>
<td>04/12</td>
<td>Zelukhava v Russia (No. 47145/09)</td>
<td>Memorial HRC</td>
<td>Right to private and family life</td>
<td>1</td>
<td>Right to private and family life</td>
<td>€40,000</td>
</tr>
<tr>
<td>17/12</td>
<td>Echidze v Georgia (No. 40050/04)</td>
<td>GYLA</td>
<td>Right to life</td>
<td>1</td>
<td>Right to life</td>
<td>€8,000</td>
</tr>
<tr>
<td>17/12</td>
<td>Tedashvili &amp; others v Georgia (No. 645974/10)</td>
<td>GYLA</td>
<td>Right to life</td>
<td>3</td>
<td>Right to life</td>
<td>€10,000</td>
</tr>
</tbody>
</table>

TOTAL: 33 cases

*The Georgian Government made unilateral declarations in these cases and as a result they were struck out by the European Court.
† The CEDAW Committee recommended the payment of compensation in an amount to be determined at the national level.

NB: Most cases raise more than one Article of the European Convention on Human Rights. “Other” includes cases concerning:
- the prohibition of slavery and forced labour (2);
- the protection of property (4);
- the right not to be punished twice;
- the prohibition of the collective expulsion of aliens;
- freedom of movement;
- and our case before the CEDAW Committee.

11
Every judgment and decision contributes to an irrefutable body of case law, legally requiring the State to provide redress to the victims and address shortcomings in domestic human rights protection mechanisms. The following cases have been active in trying to seek redress for Taisa and other victims of the bombing, both through strategic litigation and our advocacy activities (see p.17).

In a case brought by St. Petersburg journalist Roman Zakharov, and jointly litigated with Memorial HRC, the Grand Chamber of the European Court found that Russia’s indiscriminate bombardment of Katyr-Yurt village resulted in the deaths of six members of the family of Taisa Abakarova, then eight years old. They had fled to Katyr-fort two days before the airstrikes to escape fighting in their neighbouring village. Taisa’s own life was endangered, and she sustained severe injuries. This judgment echoed the findings in two of our cases from 2005 and 2010. EHRAC and Memorial HRC have been active in trying to seek redress for Taisa and other victims of the bombing, both through strategic litigation and our advocacy activities (see p.17).

TOWARDS RESOLVING THE NAGORNO-KARABAKH CONFLICT

Minas Sargsyan and his family lived in Gulistan, Azerbaijan, until 1992, when heavy bombing by Azerbaijani forces in the region compelled them to flee to the Armenian capital, Yerevan. The Grand Chamber of the European Court found in June 2015 that Azerbaijan violated the family’s property rights and their right to respect for family life and home. At present, there is no mechanism in Azerbaijan through which families like the Sargsyans could have their property rights restored, and no effective remedy was available. After 27 years of conflict in Nagorno-Karabakh, and over a million people displaced, the judgment is a crucial step towards securing justice for civilian victims. The Sargsyan family were represented by EHRAC and Legal Guide.

CHALLENGING MASS SURVEILLANCE POWERS IN RUSSIA

In a case brought by St. Petersburg journalist Roman Zakharov, and jointly litigated with Memorial HRC, the Grand Chamber of the European Court found that Russia’s legislation on mobile phone surveillance fails to provide for “adequate and effective guarantees against arbitrariness and risk of abuse.” The significance of this case extends beyond Russia’s borders; it was named one of the top ten developments in international law in 2013 by Oxford International Law, and has been cited as a standard towards compliance with State human rights obligations during the debates on mass surveillance legislation in the UK.

PROVIDING REDRESS FOR VICTIMS OF KATYR-YURT BOMBING

The European Court issued its strongest statement yet that the Russian Government must take measures to address the impunity of the perpetrators of the Katyr-Yurt bombing in Chechnya in February 2000. Russia’s indiscriminate bombardment of Katyr-Yurt village resulted in the deaths of six members of the family of Taisa Abakarova, then eight years old. They had fled to Katyr-fort two days before the airstrikes to escape fighting in their neighbouring village. Taisa’s own life was endangered, and she sustained severe injuries. This judgment echoed the findings in two of our cases from 2005 and 2010. EHRAC and Memorial HRC have been active in trying to seek redress for Taisa and other victims of the bombing, both through strategic litigation and our advocacy activities (see p.17).

PROTECTING WOMEN FROM DOMESTIC ABUSE

Violence against women remains a deeply entrenched societal issue in the region, and one which is largely considered private. Our case, the first ever individual complaint against Georgia before the UN Committee on the Elimination of Discrimination Against Women (CEDAW), was litigated jointly with the NGO Article 42. It concerns prolonged and brutal violence against a mother and daughter and was decided in the applicants’ favour in July 2015. It breaks new ground by calling on Georgia to respond to the violation of the human rights of a mother and daughter. This judgment is why the support towards me, even though I have never even met them.”

“Perhaps no one will understand how difficult it was for me without my parents, without my sister and brothers. That is why the support of other people, even just words of support, has been so valuable. I’ve been incredibly touched by the care and concern that those taking my case before the European Court have shown towards me, even though I have never even met them.”

Taisa Abakarova, who lost her family in the Katyr-Yurt bombing.
MENTORING
We mentor lawyers, predominantly at our partner NGOs (see p.6), on evaluating the strategic value of a case and constructing the legal argumentation, as well as advising on all aspects of the litigation process. We take a practice-based approach with the aim of enabling our partners to learn through experience how to assess a case's potential to bring about systemic change. Given the hostile climate towards local and international NGOs in Azerbaijan, we have successfully adapted our model to work with individual lawyers in Azerbaijan on the cases of imprisoned human rights defenders (see p.23).

LEGAL SKILLS DEVELOPMENT PROGRAMME (LSDP), STRASBOURG
We invited nine lawyers to Strasbourg from our partner organisations, other NGOs and private practice. The programme focused on the implementation of judgments, which often presents considerable challenges in our target region, as well as procedural and substantive aspects of pursuing cases at the European Court. Our participants found it an invaluable opportunity for advocacy on the issues underlying their own cases, but also to gain an insight into how the European Court process works in practice. Many Council of Europe officials commented that such direct contact with lawyers on the ground in these countries is extremely valuable, and welcomed future communications.

ONLINE SEMINARS
EHRAC decided to pilot the webinar format for distance-training in order to simultaneously interact with lawyers from across our target region, while also allowing them to build relationships and share experience with each other. The webinars focused on protecting women’s rights, with a particular emphasis on how to use UN mechanisms to combat violence against women, drawing on our recent successful case before the CEDAW Committee (see p.13). Overall, the two webinars were attended by 37 lawyers and activists from Russia, Georgia, Azerbaijan, Armenia and Ukraine. We plan to use webinars in future to reach lawyers who might otherwise be unable to take part in our capacity-building activities, and to respond to particularly urgent requests for training on given issues.

WORKSHOP ON EUROPEAN COURT LITIGATION, KYIV (UKRAINE)
Together with the Ukrainian Helsinki Human Rights Union (UHHRU), we led a two-day programme targeted at lawyers bringing cases arising out of the conflict in eastern Ukraine before the European Court (see p.25). The event concluded with a legal clinic for lawyers to discuss specific issues from their individual cases. The timeliness of the training was underscored by the fact that, by September 2015, there were over 1,400 individual applications relating to the events in Crimea or the hostilities in eastern Ukraine pending before the Court.

WORKSHOP ON ENFORCING RIGHTS OF PROTESTERS, VANADZOR (ARMENIA)
In response to the “Electric Yerevan” protests in summer 2015 against rises in electricity prices, EHRAC led a one-day seminar at the Helsinki Citizens’ Assembly, Vanadzor, on enforcing the rights of peaceful protesters before the European Court (see p.24). The restriction and abuse of citizens’ rights to demonstrate peacefully is a systemic issue in Armenia and across the post-Soviet region; the seminar focused on the unlawful detention of protesters, their lack of access to an effective remedy, and how to apply for emergency interim measures.

“[The discussion of] concrete cases and the materials provided ... will give us the opportunity to get to know the cases in greater detail. Fatal domestic violence cases and cases around stereotyping women will greatly contribute to our understanding of practices in different countries, and how to adjust [the CEDAW Convention] to Georgian reality.”
Webinar participant

"Capacity building highlights"
On 9 July 2015, as a result of review of the 2005 judgments against Ms. Emma Tunyan and her family’s expropriation of property and her eviction from their home and land plot in the Armenian capital, a Yerevan court decided to dismiss the claim of the expropriation of property as without constitutional basis. Ms. Tunyan’s family were among thousands of people forced to leave their properties and land in central Yerevan as a result of Government decrees making it possible for private property developers to take over the land “for the needs of the State.” Ms. Tunyan and her family, represented by EHRAC Legal Consultant Vahe Grigoryan, took their case to the European Court in 2005. In 2012, the Court found a violation of the family’s property rights. The Court’s judgment was instrumental in the domestic court’s quashing of the original decision, and was cited as a “new circumstance”. The implementation of this judgment could allow many other victims of unlawful expropriation of the property in Yerevan to remedy their material damages.

SEEKING REDRESS FOR VICTIMS OF THE CHECHEN CONFLICT

EHRAC works intensively with key diplomats to advocate for the implementation of specific judgments arising from the Chechen conflict. Our aim is to assist the States in putting forward concrete proposals to ensure that Russia fulfils its obligations. We twice updated the Committee of Ministers on the Khashiyev and Akayeva group of 221 North Caucasus cases*, highlighting “entrenched patterns of non-implementation” in a follow-up written submission. We also explored new opportunities to seek implementation of these unresolved cases, for example by meeting the UN Working Group on Enforced and Involuntary Disappearances.

*This group of cases concerns actions of the security forces during anti-terrorist operations which took place in the North Caucasus region between 1999 and 2006, the majority of which concern enforced disappearances, as well as aerial bombardment, extra-judicial killings and torture.
This year, the EHRAC Bulletin, published in both Russian and English, covered issues such as rising levels of domestic violence in Georgia; the European Court’s rulings on the Nagorno-Karabakh cases (see p.13); Moscow’s approach to the Crimean Tatars; and business and human rights. We also conducted interviews with Elia Kesayeva (Voice of Beslan), whose daughter was held hostage during the Beslan School Siege in 2004 (see p.21) and the recently reinstated Judge Oleksandr Volkov (see p.17). These resources, as well as case and report summaries, are available on our website, which has been visited by over 23,000 people since its launch in December 2014.

In October 2015 together with the Law Society (London) we hosted a panel discussion with prominent human rights lawyers and activists Olga Sadovskaya (Deputy Chair, Committee Against Torture, Nizhny Novgorod), Stefania Kulayeva (Deputy Chair, Memorial Anti-Discrimination Centre, Brussels) and Khalid Bagirov (Human rights lawyer, Azerbaijan). Olga and Stefania explained that the term ‘foreign agent’ has been inextricably linked with illicit and anti-governmental activity since the Soviet era, and the inclusion of their organisations on the ‘Foreign Agents’ registry effectively acts as a smear campaign. Khalid’s experiences of litigating the cases of leading human rights defenders in Azerbaijan, and the repression he and his peers face, shocked the audience.

On International Human Rights Day 2015, we held a screening at Pushkin House of Barzakh, a documentary about the ‘disappeared’ men of Chechnya by Mantas Kvedaravicius. The film shows how families cope with living a half-life, doubtful about the survival of their loved ones, but never reconciled to their deaths. The screening was followed by a panel discussion, chaired by Masha Karp (formerly of the BBC Russian Service), exploring the issue of enforced disappearances in greater depth. Mantas was joined by Akhmed Gisayev, a human rights lawyer who worked closely with Natalia Estemirova (see p.21) but was forced to leave Chechnya having received numerous threats in August 2009; Mariat Imaeva, a PhD candidate at Dublin City University researching enforced disappearances; and our Legal Director Jessica Gavron.

“The tenacity of our panellists highlights the integral role played by human rights defenders in safeguarding the most basic freedoms we take for granted in the UK. Lawyers in countries such as Russia and Azerbaijan face unprecedented obstacles in their professional and personal lives. It is therefore essential to raise awareness of the issues discussed during this event amongst the legal community if we are to challenge such repressive legislation on an international scale.”

Joanna Evans, EHRAC Legal Director

“Death is taken out of life.”

Mantas Kvedaravicius, Director of Barzakh, speaking about enforced disappearances
In 2015, we worked on 70 cases from Russia, Georgia, Azerbaijan, Armenia and Ukraine, at all stages of the European Court process. The chart above shows the proportion of cases relating to each country. For more details on all our cases, please see the Annex on p.32.

Since EHRAC was founded, we have sought to challenge the impunity of law enforcement agents and the security forces in a vast number of cases relating to ‘disappeared’ people from Chechnya. In November 2015, the European Court communicated the case concerning the murder of Natalia Estemirova, a prominent human rights activist and campaigner, to the Russian Government. Her sister alleges that she was killed by Russian State servicemen as a result of her role as an investigator in documenting cases of human rights violations in Chechnya. A positive judgment in her case will be an important step not only towards seeking accountability for Natalia’s death, but also to ensuring greater protection for those who defend the rights of others. The Council of Europe Commissioner for Human Rights, Nils Muižnieks, has submitted a third party intervention in her case.

Hundreds of victims of the 2004 Beslan School Siege came a step closer to justice on 2 July 2015, when the European Court declared admissible their complaints against Russia, in which they allege violations of their right to life before, during and after the siege. On 1 September 2004, 1,128 people, of whom 886 were children, were taken hostage at Beslan School No.1, North Ossetia, by heavily armed Chechen separatists. They were held for three days until the school was stormed by Russian forces, and the ensuing fighting resulted in 333 deaths (including 186 children) and countless injuries.

In October 2015, the European Court found violations of the right to a fair trial and the right to peaceful enjoyment of property in a case brought by Ms. Larisa Gayeva, a widow whose husband was exposed to radioactive emissions during a clean-up operation at the Mayak power plant in Ozersk, near Chelyabinsk. Her husband took part in the clean-up operation not knowing the risk to his life; he died of cancer in 1985, aged 46. Although Ms. Gayeva was awarded social security payments following her husband’s death, this decision was later quashed. EHRAC and Planet of Hopes (a Russian NGO that promotes and protects the rights of victims of ecological disasters) represented Ms. Gayeva before the European Court. The Court held that Ms. Gayeva had been deprived of the opportunity to receive compensation that she had legitimately expected to receive.

“The most important thing has always been achieving justice for those who have suffered as a result of the Mayak disaster. This is an example of how important it is to keep fighting, even in the most seemingly hopeless situations.”

Nadezhda Kutepova, Planet of Hopes, Ms. Gayeva’s representative before the European Court

**THE BESLAN SCHOOL SIEGE**

**DISAPPEARANCES AND MURDERS IN THE NORTH CAUCASUS**

**COMPENSATION FOR WIDOW OF NUCLEAR RADIATION VICTIM**
COMBATTING VIOLENCE AGAINST WOMEN

Violence against women remains a severe problem in Georgia, exacerbated by the ineffective and inadequate response of the authorities, despite the 2006 Law on Domestic Violence. In addition to implementing the CEDAW Committee’s decision in X and Y v. Georgia (see p.13) we are working together with partners on developing and pursuing cases on violence against women before the European Court and the CEDAW Committee. Litigating gender-based violence before the European Court is a relatively new area for Georgian NGOs and an underdeveloped area of the Court’s case law. We will be working closely with our Georgian partners to take strategic cases to the European Court and use the CEDAW mechanisms to seek better protection for women victims of domestic and sexual violence.

GEORGIAN GOVERNMENT ADMITS HUMAN RIGHTS VIOLATIONS

In 2015, the Georgian Government settled six of our cases by partially admitting, by the ineffective and inadequate response of the authorities, despite the 2006 Law on Domestic Violence. In addition to implementing the CEDAW Committee’s decision in X and Y v. Georgia (see p.13) we are working together with partners on developing and pursuing cases on violence against women before the European Court and the CEDAW Committee. Litigating gender-based violence before the European Court is a relatively new area for Georgian NGOs and an underdeveloped area of the Court’s case law. We will be working closely with our Georgian partners to take strategic cases to the European Court and use the CEDAW mechanisms to seek better protection for women victims of domestic and sexual violence.

TACKLING DISCRIMINATION AGAINST LGBT ACTIVISTS

Together with GYLA, we are litigating a case brought by the Women’s Initiative Support Group (WISG), an organisation promoting LGBTQ+ rights in Georgia. The case was communicated to the Georgian Government in August 2015. In 2013, WISG organised a peaceful rally to mark the International Day against Homophobia. Counter-demonstrators attended the event, shouted homophobic insults and violent threats, and broke the windows of WISG’s minibuses as they attempted to drive away. The applicants complain that the authorities failed to protect them from the counter-demonstrators’ violent attack and effectively investigate the violent. With Article 62, we also assert in the case of the Inclusive Foundation, an NGO focusing on LGBTQ+ rights, whose offices were raided by the police in December 2009. Officers strip-searched staff and referred them to in derogatory terms. Given the very limited litigation to date on LGBTQ+ rights in the region, both these cases have the potential for major impact for those defending the rights of LGBTQ+ and other marginalised communities in Georgia and beyond (see p.24).

CHALLENGING THE DETENTION OF HUMAN RIGHTS DEFENDERS

The repercussions of the 2014 crackdown on civil society have been felt severely by our colleagues and peers in Azerbaijan. In the last year, we have concentrated on supporting lawyers in litigating cases on behalf of human rights defenders (HRDs), including Intigam Aliyev, Rasul Jafarov, and Leyla and Arif Yunus. These HRDs were convicted on spurious charges, such as tax evasion and conducting illegal entrepreneurship, and given lengthy prison sentences. We and our partners aim to challenge the legality of the arrests, detention and ill-treatment of human rights defenders, which we allege were politically motivated, and seek to hold the Azerbaijani Government to account.

SUPPORTING HUMAN RIGHTS LAWYERS

The shrinking space for civil society has meant that there are very few lawyers who are willing and able to litigate the cases of HRDs at the European Court, for fear of repercussions. These remain only a handful of criminal lawyers who dare to represent political prisoners at the domestic level, and those who do are targeted for their involvement in such cases. To safeguard the ability of human rights lawyers to effectively litigate at the domestic and international level, we are representing some of the lawyers intensively engaged in this work in their own national Court’s cases. We also arrange meetings between these lawyers and diplomats in the UK and Strasbourg to raise awareness of the obstacles they encounter in their work.

INADVERTENT BORDER CROSSINGS FROM ARMENIA

The relationship between Azerbaijan and Armenia remains fraught, especially close to the border, which is unarmed in many places. In 2014, Mustafov Khoyijan inadvertently crossed the border into Azerbaijan when collecting grapes. He was allegedly held by the authorities and tortured for over a month; he died two months after he was returned home frightened, injured and with traces of mind-altering drugs in his bloodstream. With Foundation Against the Torture, the ECHR represents Mr Khoyijan’s three children in litigating the case before the European Court, arguing that their father’s detention and ill-treatment led to his death. Inadvertent border crossings between Azerbaijan and Armenia are not uncommon and the European Court’s swift communication of the case, in November 2015, is testament to the gravity of the situation.
**ARMENIA**

**RESPECT FOR THE LGBT COMMUNITY**

Those who support or advocate for LGBT rights in our target region (see p.22) often face degrading treatment and prejudice. In November 2015, EHRAC assisted the NGO PINK Armenia in submitting an application to the European Court, concerning a “blacklist” published online in 2014 by an Armenian newspaper. The article contained links to the Facebook profiles of 60 LGBT activists, made offensive comments against them and incited discriminatory treatment, such as terminating all interaction with the named people. The applicants allege that the hate speech caused them physical insecurity and defamatory statements made by the newspaper’s chief-editor, and are seeking treatment, such as terminating all interaction with the named people. The applicants were invited to submit its observations on the case in June 2015, to which EHRAC and our partners at Helsinki Citizens’ Assembly, Vonatov responded in early 2016.

**DEATH OF A SCHOOLBOY**

Derenik Gasparyan, 11, was beaten up by two pupils whilst his teacher was out of the classroom and died before he was admitted to hospital. Before the European Court, his family complained that the school administration and teaching staff failed to protect Derenik’s right to life, and that the authorities had failed to conduct an effective investigation into his death. They further submitted that the duty of the State and of schools in relation to the safety and security of pupils in educational institutions is not properly regulated by Armenian law; this case, which was promptly communicated to the Armenian Government, emphasises the need to clearly ascertain the responsibility, obligations and liability of the State and its agents, including school administration. The Armenian Government was invited to submit its observations on the case in June 2015, to which EHRAC and our partners at Helsinki Citizens’ Assembly, Vonatov responded in early 2016.

**SAFEGUARDING CITIZENS’ RIGHTS DURING PROTESTS**

We aim to address systemic breaches of citizens’ rights to demonstrate peacefully in Armenia in a number of joint cases alleging the disproportionate use of force, including the deaths of protesters and others following the contested presidential elections in 2008. We submitted additional information to the European Court on these cases, and some of them were communicated to the Armenian Government for its observations. They are of crucial importance, not only for the applicants, who could not secure justice in Armenia, but also for Armenian society; use of lethal force by the Government and its agents, including the deaths of protesters on 1 March 2008 remains a key issue in the domestic peace process. Before the European Court, his family complained that the school administration and teaching staff failed to protect Derenik’s right to life, and that the authorities had failed to conduct an effective investigation into his death.

**UKRAINE**

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**GRAD MISSILE ATTACK IN HORLIVKA**

On 27 July 2014, during fighting between Ukrainian forces and “separatists” in the so-called Donetsk People’s Republic (DPR), the launch of a Grad missile on civilian targets resulted in a number of civilian casualties. Neither side has accepted responsibility for firing the missiles. With the Regional Centre for Human Rights, we are investigating the case of a mother and daughter who were killed by these missiles whilst in a park in Horlivka. The applicant, the mother and grandmother of the victims, alleges violations of the right to life, the prohibition of torture and ill-treatment, and the right to an effective remedy. Both Ukraine and Russia have, to date, failed to conduct an effective investigation into the victims’ killings.

**UNLAWFUL DETENTION, TORTURE AND FORCED LABOUR IN EASTERN UKRAINE**

Together with UHHRU we are litigating the cases of four Ukrainian civilians who were detained in the Donetsk region by members of the DPR. All of the victims, who include a journalist, a student, a theatre producer and an artist, were held for between six and ten weeks. The applicants in these cases allege that they were unlawfully detained in inhumane conditions, subjected to torture and/or other forms of ill-treatment, forced to work for their captors, and in some cases denied access to adequate medical assistance. As well as submitting full applications following requests for interim measures, we have been gathering additional supporting evidence, including witness statements.
We are extremely grateful for the invaluable contribution which interns and volunteers make to all aspects of our work, whether translating documents, providing administrative support, undertaking legal research or designing promotional material for our events.

We would like to thank the following people for interning with us in 2015:

ALEKSANDRA CYGANIK
ANASTASJJA VERBICKA
CAROLINE NJOYA
CONNIE LOCKER
DARIO ROSSI D’AMBROSIO
GIADA CORELLI
HALLARY VEIDIG
JACKIE FINN
LILY ALEYVA

“Interning at EHRAC was hugely beneficial to me. Being part of such a small but dynamic team meant I was exposed to all aspects of its work, from case filing and translation to planning the Annual Report and the LSDP. The combination of research and administrative tasks provided a good grounding for my subsequent internship at Chatham House, while the experience of working in an NGO undoubtedly helped me to gain my next role at a civil society organisation in Kazakhstan.”

Lucy Buckland, NGO Management Skills Intern

“I think quite frequently about EHRAC and all the team. I try to follow what you do on the website and Twitter, and I have to say that I am both impressed and extremely proud of having been part of it at one stage. Keep doing what you do because you are the reason why people should believe in humanity.”

Caroline Njoya, Research Intern

“During my legal internship at EHRAC I had the opportunity to work closely with some of the best lawyers in the field of European and international human rights. With this experience I could test my legal skills acquired at university, by assisting lawyers in the litigation of actual cases of serious human rights violations. The legal internship at EHRAC has been a very enriching experience both from a professional and a personal point of view.”

Dario Rossi D’Ambrosio, Legal Intern

“Interning at EHRAC has achieved so much in the 12 years of its existence. And for this, Philip Leach deserves the lion’s share of the credit. He is, in his quiet and modest way, an inspiring leader of a dedicated team of lawyers, interns and volunteers whose work, in partnership with local lawyers, has done so much to advance and protect the rights of people in those troubled countries. Philip Leach is an unsung hero of the cause of human rights and I can think of no one who is more deserving of the award of Human Rights Lawyer of the Year.”

Sir Nicole Bratza, former President of the European Court of Human Rights

I am very grateful to the Law Society for this award which of course reflects the extraordinary work and achievements of all the EHRAC team.

Professor Philip Leach, EHRAC Director

Our Director, Professor Philip Leach, was named Human Rights Lawyer of the Year 2015 at the Law Society’s annual Excellence Awards in October.
EHRAC sits within the Law School at Middlesex University, where we are well supported by both staff and students. Professor Joshua Castellino, the Dean of the Law School, sits on our Advisory Board.

Caroline Njoya, a Master’s student in Global Governance and Public Policy, spent four months with us researching domestic violence cases and creating a database of CEDAW case law. We were also joined by Anastasija Verbicka, an undergraduate law student, who provided us with administrative support during the second year of her degree.

In October, Stephania Kulayeva and Khalid Bagirov, human rights defenders from Russia and Azerbaijan respectively, led a guest lecture for students of International Human Rights. The lecture was an opportunity for students to interact with real lawyers on the frontline defending human rights under particularly repressive regimes, and left students both appalled and inspired.

We were honoured to welcome former President of the European Court, Sir Nicolas Bratza, to our offices in the Law School for an informal discussion in December 2015. Amongst other topics, we had the opportunity to discuss the report by the International Advisory Panel on Ukraine, chaired by Sir Nicolas, on the investigations into violent incidents during the protests on Independence Square (Kyiv) in 2014.

In 2015, we set up a partnership with the Allard K. Lowenstein International Human Rights Clinic at Yale Law School led by Professor James Silk, through which five students assisted us with our pending casework at the European Court by researching events in eastern Ukraine.

“EHRAC’s continued impact is felt not only in the remedies gained by its clients, but also in highlighting the systemic change necessary to create a world where the dignity and worth of every individual is respected. Having these passionate and skilful advocates is a source of inspiration and real learning for our students.”

Professor Joshua Castellino, Dean of Middlesex University Law School

“MIDDLESEX UNIVERSITY

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“I’m speechless. The drive has kicked in more now because even though [Khalid] has friends who have been imprisoned he still wants to keep going. I think just shows that with human rights you really have to have a passion for it – you really have to be in it for trying to change the world. It was really good that Middlesex set this up.”

Hilda Sesay, LLB Student, after a guest lecture by Khalid Bagirov and Stephania Kulayeva.

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## Statement of Financial Activities

The summary financial statement for EHRC below represents the period 1 January to 31 December 2015. The information is derived from a schedule of EHRC income and expenditure prepared on a cash basis which has been subject to an agreed-upon procedures review undertaken by independent external auditors, BDO LLP. The reviewed underlying primary figures have been adjusted in the statement of financial activities for the timing of recognition of the income and expenditure.

EHRC is a centre within Middlesex University. Middlesex University’s audited financial statements for the year ending 31 July 2015 can be found at: www.mdx.ac.uk/about-us/policies/financial-statements

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| NET OUTGOING RESOURCES | £14,917 | £92,166 | £107,083 |

*Income from grants spanning more than one financial year are allocated as income in proportion to grant period*

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**Our Supporters**

We are extremely grateful to all of our donors for the support they have provided us over the last year.

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**Statement of Financial Activities**

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EHRA Litigation in 2015

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Responded to Government observations.

Responded to

Rights of life; Protection of life; Right to an effective remedy; Right to respect for private and family life; Right to an effective remedy 1

Russia Bulin v Russia Right to life; Prohibition of torture and ill-treatment; Right to an effective remedy

Russia Matyushin v Russia Prohibition of torture and ill-treatment; Right to an effective remedy


Georgia Vardosanidze v Georgia Right to a fair trial; Right to respect for private and family life; Right to an effective remedy

Russia Chokheli and others v Georgia Right to life; Prohibition of torture and ill-treatment; Right to liberty; Right to a fair trial

Georgia Sitchinavebi v Georgia Right to life; Right to an effective remedy; Prohibition of discrimination; Freedom of expression

1 Right to a fair trial

1 Right to life

1 Prohibition of torture and ill-treatment

1 Right to liberty; Right to an effective remedy

1 Prohibition of collective expulsion of aliens; Right to an effective remedy

1 Right to life

1 Right to an effective remedy

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