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## ECCHR BACKGROUND PAPER

### **Umar Israilov**

Umar (Alikhan) Israilov was born in 1981 in a village in Chechnya. At the start of the second Chechen war, he joined a local rebel group. He was captured and then illegally detained in Chechnya's Camp Tsentoroi, the home village of President Ramzan Kadyrov, from April to July 2003 and tortured repeatedly by Kadyrov himself. After this, he was forced to serve in the security forces, as one of Kadyrov's body guards. During his captivity at Tsentoroi and his subsequent forced labor for the Chechen security service, Israilov witnessed numerous accounts of systematic torture and unlawful executions conducted by Kadyrov and his associates.

Israilov reported that Kadyrov and his bodyguards entered his cell and beat him unconscious with butts, pistol grips, and other instruments. "First, his bodyguards began to beat me", Israilov recounted, "then, Kadyrov himself hit me with his pistol and started kicking me. I tripped and lost consciousness."

On other occasions, Israilov was tortured with electric shocks. In reference to Israilov's testimony: "Kadyrov's guards forced me to sit on an exercise machine and attached one cable to my ear and another to my little finger. Then, Kadyrov began turning the crank handle which delivered an electric shock. I felt an awful pain in my head and my hand."

In addition, Israilov recalls being abused with a metal rod as thick as a finger and stabbed in his legs. The scars and burns caused by the torture that Israilov experienced during his four-month detainment were still visible years after the mistreatment had occurred. A medical evaluation confirmed that the physical injuries were compatible with the statements made by Israilov. Moreover, the Independent Office for Asylum (UBAS) approved the credibility of the allegations of torture and considered him a refugee. Statements by fellow captives further corroborate Israilov's testimony.

He was then forced to serve as one of Kadyrov's bodyguards, until he was transferred to his own village with the mission of delivering those he knew belonged to the rebels to the security forces. Israilov and his father decided that this was too dangerous, and made arrangements for Israilov to leave the country. He and his wife escaped to Poland in autumn 2004 with fake passports.

Israilov's father, his step-mother and sister-in-law were then detained in an attempt to persuade Israilov to return to Chechnya. While the step-mother and sister-in-law were released after a short duration, Israilov's father was detained for over ten months. He was also tortured and subjected to inhuman and degrading treatment by the security forces. Among other episodes, he was beaten unconscious while tied to a pool table and tormented with electric shocks. During his imprisonment, he also witnessed systematic torture and mistreatments. The elder Israilov and his family also managed to escape Chechnya.



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Israilov filed his first application with the European Court of Human Rights (ECtHR) in 2006.

In 2008, a Chechen man by the name of Artur Kurmakayev contacted Israilov and threatened him to withdraw his complaint before the ECtHR and tried to compel him to return to Chechnya. He said he had been sent by Kadyrov. These warnings, directed at Israilov and his family, declared: “If we can clarify all issues on the phone tonight – talk to you – no harm will happen to you or those who are close to you... so nobody can touch them.” Also: “It is only because you have children and a wife and because someone will go to your family and torment them – that is why I came.”

The seriousness of these threats was never doubted. It is mentioned in past reports by independent human rights organizations that the disappearance of family members and endangerment of lawyers is not unusual in Chechnya.

After issuing the threats, Artur Kurmakayev was briefly detained by the police and told to leave the country. He later returned and applied for asylum and made a statement with the police where he claimed to be part of a new department in Chechnya charged with bringing back exile Chechens who had “killed people, stolen money, fought against Russia and have contacts to terrorist organisations.” He stated that he did not want to kill Israilov, as he had been ordered to do, and requested special protection. He was, however, denied asylum and sent back to Russia (see Dick Marty, “Legal remedies for human rights violations in the North-Caucasus Region”, PACE, 4 June 2010, <http://assembly.coe.int/Main.asp?link=/Documents/WorkingDocs/Doc10/EDOC12276.htm>).

After the threats from Kurmakayev and after Israilov noticed a group of men watching him from a van parked on the street where he was living, Israilov's lawyer wrote a letter in July 2008, requesting protection for him, but the request was not granted. In January 2009 the Austrian police still refused to provide protection to Israilov, his pregnant wife, or his three children. At this point, there was sufficient evidence indicating the preparation of a politically contracted murder and organized displacement of dissidents. On 13 January 2009, days after he once again notified Austrian police that he was concerned for his life, Israilov was killed in broad daylight on a street in Vienna by at least two men.