

Landmark Judgment in Environmental Pollution Case

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In an unprecedented judgment today the European Court of Human Rights has found that the failure of the Russian state to effectively prevent or regulate pollution from a steel plant has violated the European Convention on Human Rights. The case was brought by a Russian woman, Mrs Nadezhda Fadeyeva, who claimed the right to be re-housed because of the pollution coming from a privately-operated steel works near her home¹. The applicant was represented by lawyers from the London-based European Human Rights Advocacy Centre (EHRAC)² together with lawyers at the Russian human rights organisation *Memorial*³.

Mrs Fadeyeva and her family live in the city of Cherepovets (to the north east of Moscow) in a council flat situated within the "sanitary security zone" around a steel plant run by the Severstal company. The European Court has found that the Russian government has violated Mrs Fadeyeva's rights under Article 8 of the European Convention on Human Rights (the right to respect for private, family life and home) because it failed to prevent or adequately regulate the environmental pollution from the plant (including dust, carbon disulphide and formaldehyde), which adversely affected her quality of life and made her more vulnerable to disease.

Mrs Fadeyeva was awarded €6,000 compensation. The Court also acknowledged that one of the possible solutions to the on-going problem would be her resettlement in an ecologically safe area.

Professor Bill Bowring, EHRAC's Academic Co-ordinator said: "EHRAC is proud to be associated with this landmark case which establishes an important precedent for enforcing environmental standards in Russia and elsewhere".

Philip Leach, EHRAC's Director said: "This important decision establishes that all governments must impose effective regulation on the private sector to prevent environmental pollution where serious potential health risks exist."

¹Fadeyeva v Russia (No. 55723/00), Judgment of 9 June 2005 (www.echr.coe.int)

²Based at London Metropolitan University, EHRAC provides expert advice and assistance to NGOs and lawyers in Russia in bringing international human rights cases. EHRAC is funded by the European Commission and the British Foreign and Commonwealth Office. See www.londonmet.ac.uk/ehrac

³Memorial is one of the foremost human rights organisations in the Russian Federation, devoted to investigating and publicising human rights abuses. See www.memo.ru