

Check against delivery

Russian Federation

Oral Statement from Lawyers for Lawyers

Human Rights Committee's review of the eight Periodic Report of the Russian Federation

Formal NGO briefing – Geneva – 28 February 2022

Speaker: Mr. Leroy Niekoop

Dear Chair, Excellencies, members of the Human Rights Committee, Ladies and Gentlemen,

Lawyers for Lawyersⁱ wishes to bring to the Committee's attention the failure of the authorities of the Russian Federation to uphold the necessary guarantees for the proper functioning of the legal profession in practice.

Lawyers play a vital role in the protection of the rule of law and human rights. It is the responsibility of lawyers to protect and establish the rights of citizens from whatever quarter they may be threatened. Their work is indispensable for ensuring effective access to justice for all. To fulfil their professional duties effectively, lawyers should be able to practice law freely and independently, without any fear of reprisal.

Lawyers in the Russian Federation who are working on sensitive cases, are sometimes subjected to attempts by investigative authorities to harass and disrupt their work. Often lawyers are facing difficulties with accessing their clients in detention, and the principle of lawyer-client confidentiality is often not respected.ⁱⁱ

Some lawyers face threats, intimidation and (physical) attacks. Recently, three lawyers from Chechnya were physically attacked by Chechen officials while they were trying to provide legal assistance to their clients.ⁱⁱⁱ

There are also lawyers that are subjected to arrests, criminal investigations and proceedings, and disciplinary proceedings in connection with their legitimate activities as attorneys, often in connection to grounds such as the expression of critical views or the nature of the cases they are involved in.

These various forms of harassment of lawyers, create a "chilling effect" on the legal profession; lawyers are increasingly wary of working on sensitive cases. Various lawyers left the Russian Federation due to the fear of persecution.

Another issue of concern is that the "foreign agents' law, which has been heavily criticized by various international institutions, is now more and more being applied against lawyers and lawyers' organizations. The danger of this law is that it may lead to lawyers not being able to give the legal assistance and defend human rights activists as they did before they received this label.^{iv}

Lawyers for Lawyers calls on the Human Rights Committee to reiterate its earlier recommendation to the Russian Federation to immediately take steps to provide, in practice, effective protection to lawyers whose lives, safety and security are under threat due to their work in monitoring and reporting on human rights issues and other matters of legal and public interest, and refrain from taking any measures that may constitute harassment or persecution or undue interference in the exercise of their work or of their right to freedom of opinion and expression.

ⁱ For more information about Lawyers for Lawyers, please visit: www.lawyersforlawyers.org

ⁱⁱ Submission on the List of Issues by the Lawyers for Lawyers Foundation for the Human Rights Committee Consideration of the 8th Periodic Report of the Russian Federation, 28 May 2020, available at: <https://lawyersforlawyers.org/wp-content/uploads/2020/06/Submission-LOI-RusFed-L4L.pdf>, p. 5 – 7.

ⁱⁱⁱ Front Line Defenders, 'Human rights defenders Sergey Babinets, Oleg Khabibrakhmanov and woman human rights attorney Natalia Dobronravova attacked, mother of human rights defender Abubakar Yangulbaev abducted', 24 January 2022, available at: <https://www.frontlinedefenders.org/en/case/hrds-sergey-babinets-oleg-khabibrakhmanov-and-whrd-attorney-natalia-dobronravova-attacked>

^{iv} Submission by the Lawyers for Lawyers Foundation for the Human Rights Committee Consideration of the 8th Periodic Report of the Russian Federation, 31 January 2022, available at: <https://lawyersforlawyers.org/wp-content/uploads/2022/02/Submission-on-the-Russian-Federation-January-2022-ICCPR-Lawyers-for-Lawyers.pdf>, p. 9-10.