



**BY AIRMAIL**

His Excellency Alexander Vladimirovich Konovalov  
Minister of Justice  
14 Zhitnaya Ulitsa  
MOSCOW 119991  
**RUSSIAN FEDERATION**

Email: [pst@minjust.ru](mailto:pst@minjust.ru)

Amsterdam, 9 August 2013

Subject: Killing of lawyer Magomed Guchuchaliev

Your Excellency,

I am writing to you on behalf of Lawyers for Lawyers, an independent and non-political Dutch foundation which supports lawyers who are threatened or suppressed in the execution of their legal profession all over the world. L4L is committed to ensuring the proper functioning of the rule of law by pursuing freedom and independence of the legal profession. In that context, Lawyers for Lawyers respectfully would like to express its grave concern about the killing of our colleague, lawyer Magomed Guchuchaliev.

Lawyers for Lawyers has been informed that on the evening of 12 July 2013, Magomed Guchuchaliev was repeatedly shot at, and killed, by two men near his home in the suburbs of Makhachkala, Dagestan. The identity of his killers is unknown. His killing seems to be related to his work: Reports gathered by Lawyers for Lawyers demonstrate that lawyers in the North Caucasus and criminal defence lawyers in particular, are increasingly subjected to threats and acts of harassment by members of legal enforcement agencies and unknown individuals.

Until September 2012, Magomed Guchuchaliev was the chair of the law firm Kavkaz (*advokatskaya kollegiya 'Kavkaz'*). The law firm is known for defending persons accused of membership of armed groups and alleged the use of torture and fabrication of criminal evidence by law enforcement agencies in relation to their clients. For years, lawyers of this firm have been receiving threats in connection with their professional activities and facing acts of harassment by members of the authorities. Magomed Guchuchaliev's colleague, Konstantin Mudunov, survived an attempt on his life on 19 November 2008. On 20 January 2012, another member of the law firm Kavkaz, lawyer Omar Saidmagomedov, and his cousin were killed by security officials in a street of Makhachkala. The authorities reported this as a killing of two members of an armed group, although there were allegedly strong allegations that Saigmagomedov was targeted in connection with his work and extra judicially executed. According to our information, these allegations have never been effectively investigated. In addition, a parallel investigation was requested by Mr. Omar Saidmagomedov's colleagues to ensure that the authorities impartially investigated his death, but this led instead to themselves being harassed by investigation officials.



In this context, Lawyers for Lawyers urge your government to recognize the valuable role played by criminal defence lawyers and to promote and support their work in line with the Basic Principles on the Role of Lawyers, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990.

Paragraphs 16 and 17 of the United Nations Basic Principles on the Role of Lawyers state that the Government is under an obligation 'to ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference'. Further: 'Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities'. Paragraph 18 states clearly that 'Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions'.

These principles are universally applicable. Therefore, your government is under an obligation to adequately protect and support its lawyers.

In view of the above, Lawyers for Lawyers urge you to make sure that a prompt, thorough, impartial and transparent investigation into the killing of Magomed Guchuchaliev will be carried out, so as to identify all those responsible, bring them before a competent and impartial tribunal and apply to them the sanctions provided by the law, as well as to guarantee in all circumstances the physical and psychological integrity of lawyers in the Russian Federation.

We thank you for your attention to this very important matter. We are confident of your good will and sense of justice and will continue to monitor this case closely.

On behalf of the President of Lawyers for Lawyers, Phon van den Biesen,

Sincerely,

**Lawyers for Lawyers**

Adrie van de Streek  
Executive director

*cc. Roman Anatolievich Kolodkin, Ambassador Extraordinary and Plenipotentiary of the Russian Federation in the Kingdom of the Netherlands*