

RUSSIAN FEDERATION

Oral Statement from Lawyers for Lawyers (L4L)

Human Rights Committee's review of the 7th Periodic Report of the Russian Federation – Formal NGO briefing – Geneva – 16 March 2015

Speaker: Ms Judith I.A. Lichtenberg

Lawyers for Lawyersⁱ would like to draw the Committee's attention to the failure of the Russian authorities to ensure the right to effective legal representation.ⁱⁱ

Lawyers increasingly face threats, physical attacks and harassment due to their professional duties.ⁱⁱⁱ

Since we issued our submission to the Committee in April 2014,^{iv} at least two lawyers have been killed.^v They represented a key witness in a criminal case. Two others were physically attacked after defending their clients – an LGBTI rights activist^{vi} and a supposed terrorist^{vii} – in court. One lawyer needed hospital treatment after the attack.^{viii} A third lawyer was assaulted in his office. He is involved in election fraud cases.^{ix}

There are no reports indicating that any arrests were made in relation to these crimes. In one case, the police refused assistance.^x

Lawyers also increasingly face improper interference by investigators. Recent examples show that investigators try to exclude lawyers from cases by all means. They interrogate lawyers as witnesses in their clients' cases.^{xi} They issue fabricated complaints against lawyers to their bar associations.^{xii} They put pressure on clients to replace their lawyers for someone more loyal to the authorities.^{xiii}

All these lawyers have also received threats in relation to their work.

Lawyers for Lawyers would like to clarify one matter: Magamed Abubakarov received and reported (life) threats to the police in the Republic of Kabardino-Balkaria in February 2013 instead of Grozny.^{xiv}

We call on the Committee to strengthen its previous recommendations for the Russian Federation to protect lawyers and refrain from taking measures that constitute harassment and persecution of lawyers and unnecessarily interfere with their defence of clients.^{xv}

Thank you.

ⁱ For more information visit our website: <http://lawyersforlawyers.nl/> and specifically on or work on the Russian Federation: <http://www.advocatenvooradvocaten.nl/countries/russianfederation/>

ⁱⁱ As enshrined in Article 14 of the ICCPR. Adherence to the UN Basic Principles on the Role of Lawyers is considered a fundamental precondition to fulfilling the requirement that all persons have effective access to legal services provided by an independent legal profession. Basic Principles on the Role of Lawyers, Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana (1990), UN Doc. A/CONF.144/28/Rev.1 at 118, available at: <http://www.advocatenvooradvocaten.nl/basic-principles/>

ⁱⁱⁱ News Russian Federation at: <http://www.advocatenvooradvocaten.nl/countries/russianfederation/>

^{iv} Lawyers for Lawyers Submission on the List of Issues to the Human Rights Committee Consideration of the Seventh Period Report of the Russian Federation, 25 April 2014, available at: <http://www.advocatenvooradvocaten.nl/wp-content/uploads/140425-L4L-Submission-list-of-issues-Russian-Federation.pdf>

^v Russian lawyer Vitaly Moiseyev and his wife Elena Moiseyeva were killed on 24 October 2014. On 23 September 2014, lawyer Tatiana Akimtseva was shot near her apartment:

<http://www.advocatenvooradvocaten.nl/9795/russian-federation-lawyer-killed-together-with-his-wife/>

^{vi} On 25 November 2014, human rights lawyer Vitaly Cherkasov was attacked after defending an LGBTI rights activist in court: <http://www.advocatenvooradvocaten.nl/9889/russian-federation-lawyer-attacked-after-defending-lgbti-activist/>

^{vii} On February 4, 2015, defence lawyer Murad Magomedov was attacked by a group of unidentified people in Dagestan, causing multiple injuries: <http://www.advocatenvooradvocaten.nl/10324/russian-federation-physical-attack-against-lawyer-in-dagestan/>

^{viii} Lawyer Magomedov was taken to the Republican Central Clinical Hospital, where he was treated for concussion, multiple injuries and fractures of the jaw. <http://www.advocatenvooradvocaten.nl/10324/russian-federation-physical-attack-against-lawyer-in-dagestan/>

^{ix} On 26 November 2014, lawyer Arkady Chaplygin was beaten by unidentified persons in his office: <http://www.advocatenvooradvocaten.nl/10307/russian-federation-st-petersburg-lawyer-assaulted/>

^x <http://www.advocatenvooradvocaten.nl/9889/russian-federation-lawyer-attacked-after-defending-lgbti-activist/>

^{xi} <http://www.advocatenvooradvocaten.nl/9663/russian-federation-l4l-concerned-at-prosecution-of-lawyer-georgy-antonov/> and <http://www.advocatenvooradvocaten.nl/10317/russian-federation-court-interrogation-of-lawyer-illegal/>

^{xii} <http://www.advocatenvooradvocaten.nl/10317/russian-federation-court-interrogation-of-lawyer-illegal/>

^{xiii} <http://www.advocatenvooradvocaten.nl/10312/russian-federation-investigators-increasingly-hinder-the-work-of-lawyers/>

^{xiv} Question 21(b): '*[P]lease comment on [...] (b) threats received by lawyer Magamed Abubakarov in Grozny (Chechen Republic) in January 2013' [..], List of issues in relation to the seventh periodic report of the Russian Federation, CCPR/C/RUS/Q/7, par. 21, p.5 and 'Reply to question 21 (b): According to available information, Mr. M. Abubakarov did not report the threats that were allegedly made against him in Grozny in January 2013 to the law enforcement agencies.'* Replies of the Russian Federation to the list of issues, CCPR/C/RUS/Q/7/Add. 1, par. 132, p. 19.

^{xv} Concluding observations of the Human Rights Committee regarding the Russian Federation of 24 November 2009, CCPR/C/RUS/6, para. 14 sub (d), p. 6, para. 16, sub (a), (b) and (c), p.7-8 and para. 22, p. 10 available at: <http://www2.ohchr.org/english/bodies/hrc/docs/co/CCPR.C.RUS.CO.6.pdf>