



Date: 20/21 September 2018  
HRC section: 39<sup>th</sup> Session (Agenda Item 6)  
Speaker: Mr. Paul Scambler

**Oral Statement to the 39th Session of the UN Human Rights Council  
Regular Session - Oral Statement Item 6: UPR Outcomes: the Russian  
Federation**

Mr President,

Lawyers for Lawyers<sup>1</sup> welcomes the decision of the Russian Federation to accept<sup>2</sup> the recommendation relating to the investigation of attacks and threats against lawyers, made at its 3<sup>rd</sup> UPR. We call on the Russian Federation to effectively implement this recommendation<sup>3</sup> without delay.

Protection of human rights and fundamental freedoms requires effective access to legal services provided by an independent legal profession. Fundamental to improving human rights for the people in the Russian Federation is a justice system that provides due process for rights holders and allows lawyers to work independently without fear of harassment or intimidation.

According to our information, lawyers in the Russian Federation working on sensitive cases are sometimes subjected to attempts by investigative authorities to harass and disrupt their work. Lawyers face threats, intimidation and (physical) attacks<sup>4</sup> in connection with their legitimate activities as lawyers.

Authorities in these cases have sometimes failed to carry out prompt and thorough investigations into the threats and attacks. Impunity of these acts could have a “chilling effect”, resulting in lawyers refusing to represent

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<sup>1</sup> Lawyers for Lawyers is an independent and non-political Dutch foundation which seeks to promote the proper functioning of the rule of law by pursuing freedom and independence of the legal profession. We do this by supporting lawyers worldwide who are threatened or suppressed in the execution of their profession. Lawyers for Lawyers was granted Special Consultative status with the UN Economic and Social Council in July 2013. [www.lawyersforlawyers.org](http://www.lawyersforlawyers.org)

<sup>2</sup> Report of the Working Group on the Universal Periodic Review the Russian Federation Addendum, A/HRC/39/13/Add.1

<sup>3</sup> Idem. Recommendations: 147.127: Investigate all reports of attacks on, or threats against, human rights defenders, lawyers, journalists, civil society activists and lesbian, gay, bisexual, transgender and intersex persons, and bring those responsible to justice (Norway); and 147.163 Safeguard the freedom of association of all its people, as prescribed in the Constitution, including of journalists, lawyers and human rights defenders (Botswana).

<sup>4</sup> For example, on 9 September 2018, lawyer Mikhail Benyash was arrested, beaten and detained by police after meeting his client who had taken part in a peaceful protest in Krasnodar, a city in the south of Russia. A court convicted and sentenced Mikhail Benyash to 14 days in administrative detention on 11 September, see: <https://www.amnesty.org/en/documents/eur46/9069/2018/en/>

clients in sensitive cases, out of fear of becoming the target of harassment. This severely compromises the universal right to effective legal representation and access to justice for all.

We therefore urge the Russian Federation to take immediate measures to prevent any threats and attacks against lawyers effectively, publicly condemn them at all levels and promptly and thoroughly investigate them to end impunity.

Thank you.