
Le Président
The President

**Prosecutor General
Yury Chaika
Office of Prosecutor General of the Russian Federation
Ul. B. Dmitrovka, d.15a
125993 Moscow GSP- 3
Russian Federation**

Re: Concerns regarding human rights lawyer Ms Sapiyat Magomedov

Your Excellency

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it has also observer representatives from a further eleven European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its serious concerns over the arrest and reported assault of Ms Sapiyat Magomedov, a prominent criminal lawyer known for her work on cases involving human rights violations from Dagestan, in the North Caucasus, Russian Federation.

The CCBE has learned that Ms Sapiyat Magomedov could face up to five years' imprisonment after being charged on 27 July with two criminal offences. The charges were brought against her following her complaint about an assault against her by police officers in June 2010.

It is reported that in July 2010 Ms Sapiyat Magomedov launched an official complaint against members of police for beating and forcibly removing her from Khasavyurt town police station on 17 June 2010 where she went to visit her client. The police launched a counter-claim alleging that she had attacked and publicly insulted them. The CCBE is informed that, according to Ms Sapiyat Magomedova, investigators repeatedly tried to pressure her into withdrawing her complaint against the police, and threatened that she would face criminal charges herself.

After months of slow investigations into Ms Sapiyat Magomedova's allegations, her alleged assailants were finally charged with abuse of authority on 15 July 2011. However, following her repeated and firm refusal to withdraw her complaint, on 27 July, Ms Sapiyat Magomedova was charged with two criminal offences: the use of violence in relation to representatives of state authority and publicly insulting them while on duty. Furthermore, Ms Sapiyat Magomedova has been issued with travel restrictions. If convicted Ms Sapiyat Magomedov will be stripped of her licence to practise law and may face heavy fines or up to five years' imprisonment.

According to Ms Sapiyat Magomedova's lawyer, the criminal case against her was opened unlawfully, as the police's counter-claim against her was not officially registered and was backdated after she had filed her own complaint. It is believed that there were procedural violations during the investigation, including - according to Ms Sapiyat Magomedova - the provision of false witnesses.

The CCBE understands that the arrest and reported assault of Ms Sapiyat Magomedova are directly related to her legitimate human rights work.

In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Furthermore, Article 23 states that:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognised standards and ethics of the legal profession.

In view of the above, the CCBE respectfully urges you to take immediate and effective steps to: conduct a thorough examination of the alleged procedural irregularities and fabrication of evidence in the case against Ms Sapiyat Magomedova; ensure an immediate lifting of Ms Sapiyat Magomedova's travel restrictions and guarantee in all circumstances that human rights lawyers in Russia are able to conduct their professional duties without fear of reprisals and free of all restrictions, in order to preserve the independence and integrity of the administration of justice.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G. Dal', with a long horizontal line extending to the right from the end of the signature.

GEORGES-ALBERT DAL

President