

Mr Vladimir Putin
The President of the Russian Federation
23 Ilyinka Street
Moscow 103132
Russia

Brussels, 18 June 2012

RE: Concerns regarding the situation of lawyer, Mr Rustam Matsev

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 concerns over the situation of a lawyer, Mr Rustam Matsev, who has recently received a death threat from a senior police official. Mr Matsev is a member of the Karachaevo-Cherkessia Bar Association and works in the neighbouring republic of Kabardino-Balkaria taking up many cases involving allegations of torture and other human rights violations by members of the law enforcement agencies.

The CCBE has been informed that on 31 May 2012 Mr Matsev was told by a senior police official at a pre-trial detention centre in Nalchik that he should stop 'teaching his defendant to lie', a statement referring to Mr Matsev's client's allegations of abduction, ill-treatment and subsequent fabrication of a criminal case by police. The police official also demanded that Mr Matsev's client withdraws his complaint and agrees to be tried under the so-called 'special procedure' – a closed court session in which the defendant pleads guilty, agrees to be sentenced without a full hearing and waives his right to appeal.

According to Mr Matsev, following his refusal to facilitate this, the police official threatened him saying that when security operations to liquidate members of an armed group are conducted, lawyers may be blocked the same way. The lawyer was also told that he should watch his back because he is being monitored by the police. Mr Matsev perceived these statements as a real threat to his life.

The CCBE is deeply concerned about the intimidation of Mr Matsev and the fact that it is directly related to his legitimate activities as a lawyer and human rights defender. The CCBE is alarmed that lawyers who take up cases involving allegations of human rights violations by the law enforcement officials in Kabardino-Balkaria and across the North Caucasus are repeatedly subjected to harassment, pressure and violence.

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

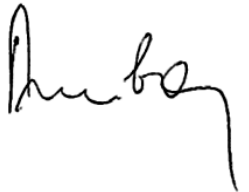
consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

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 urges you to take effective steps to ensure that the threat received by Mr Matsev is impartially investigated and that any law enforcement officials found guilty of human rights violations, intimidation and harassment of lawyers, defendants and other participants in the criminal justice process are brought to justice. The CCBE also urges you to take all necessary measures to guarantee that lawyers in Russia are able to perform their professional duties without hindrance, harassment or improper interference, so as to preserve the independence and integrity of the administration of justice.

Yours sincerely,



Marcella PRUNBAUER-GLASER

CCBE President