

Dmitry Medvedev
The President of the Russian Federation
23 Ilyinka Street
Moscow 103132
Russia

Brussels, 26 April 2012

RE: Attack on lawyer, Mr Alexey Dmitriev

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 and ecological rights defender, Mr Alexey Dmitriev, who has been recently subjected to a grave attack at his premises near Moscow.

Mr Dmitriev is a member of the Movement in Defense of Khimki Forest, which is at risk of destruction because of the motorway construction between Moscow and St Petersburg. He is an active participant in demonstrations against deforestation in the town of Khimki and was due to take part in two trials contesting a project of a construction company, SMU MOIS-1, to build a car park in the middle of Dubki park.

The CCBE has been informed that on 16 April 2012, Mr Dmitriev was attacked and badly beaten on the stairwell of his apartment building in the suburbs of Moscow. He was left unconscious and bleeding, while the perpetrator stole his mobile phone and camera. The lawyer was later brought to Khimki hospital for medical attention where he was diagnosed with concussion and a broken arm. On 17 April 2012, Mr Dmitriev lodged a complaint to the police and an investigation under the charges of robbery was opened.

The CCBE is deeply concerned for the security of Mr Dmitriev and believes that the incident is directly related to his peaceful and legitimate activities as a lawyer and ecological rights defender, in particular his participation in the legal action brought against the construction company, SMU MOIS-1. The CCBE is alarmed by these facts which indicate a repressive environment for the exercise of the legal profession in the Russian Federation.

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

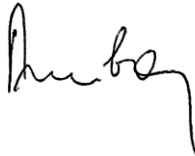
threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

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 an impartial investigation into the attack on Mr Dmitriev is carried out and that those responsible are brought to justice in accordance with international standards. The CCBE also urges you to take all necessary measures to guarantee the security, physical and psychological integrity of Mr Dmitriev and that all lawyers in the Russian Federation are able to carry out their activities without fear of reprisals and free of all restrictions, including harassment and intimidation, in order to preserve the independence and integrity of the administration of justice and ensure that all attempts to discredit lawyers for the legitimate exercise of their duties are promptly and effectively stopped.

Yours sincerely,



Marcella PRUNBAUER-GLASER

CCBE President