

Minister of Internal Affairs of the Kabardino-Balkaria Republic
Sergei Valentinovich Vasilyev
ul. Kuliev, 10a
360000 g. Nalchik
Kabardino-Balkaria
Russian Federation

Brussels, 19 February 2013

Re: Concerns regarding the situation of lawyer, Mr Magamed Abubakarov

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 concern over the situation of a lawyer, Mr Magamed Abubakarov, who has been subject to repeated threats.

Mr Abubakarov is a criminal defence lawyer from Chechnya; he has worked for several human rights organisations and has taken up some of the most sensitive cases in North Caucasus, many of which involved allegations of abductions, torture and fabrication of criminal charges by law enforcement officials.

Since 2007, Magamed Abubakarov has received repeated intimidations and threats in connection with his professional activity. In addition on the 15th December 2011 he was seriously injured in a suspicious car accident involving police.

The CCBE has been informed that, starting from 6 February 2013, Mr Abubakarov has been receiving several threatening messages from an unfamiliar phone number. Despite the fact that he has promptly reported the event to the police, the competent authorities have not promptly responded to his complaint; indeed they have still not questioned him about the threats. Furthermore, following the complaint submission, the lawyer received another message, written in a very abusive language, and containing a death threat.

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 17 states that:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

In view of the above, the CCBE respectfully urges you to take immediate and effective steps to ensure that the threats received by Mr Abubakarov are impartially investigated and the person behind them is promptly identified and prosecuted. 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, intimidation and harassment, including from members of the law enforcement agencies, so as to preserve the independence and integrity of the administration of justice.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'E. Tsouroulis', written in a cursive style.

EVANGELOS TSOUROULIS

CCBE President