

DATE  
5/07/2010

Mr. Dmitri Medvedev  
President of the Russian Federation  
Ilinka Str, No 23 103132  
Moscow RUSSIA

## Re: **Concerns regarding the case of lawyer Ms. Sapiyat Magomedova**

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 around one 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.

We express our concern over the situation facing Ms. Sapiyat Magomedova, a lawyer at the firm "Omarov A.S. and Partners" of Khasavyurt city, Republic of Dagestan.

The CCBE has been informed that in the afternoon of June 17, 2010, Ms. Sapiyat Magomedova was beaten by four Interior Department (GOVD) special militia agents (OMON) in the Khasavyurt police department, and lost consciousness as a result.

Ms. Magomedova had come to the GOVD premises with all the documentation required to visit a client, Ms. Malika Evtomirovoya, who had been violently arrested and detained earlier the same day. Ms. Evtomirovoya had lodged a complaint in the past against a police officer for abuses, and had been indirectly warned by the investigator in charge of the case not to be too vocal about that case or she would be arrested.

At the GOVD, Investigator Zakir Stambuloff rejected Ms. Magomedova's request to visit her client, called the police patrol, and ordered the agents to "throw her out of here". As Ms. Magomedova insisted to have access to her client, agents started to beat her, until militia chief Shamil Kerimovich Temigereev shouted to "throw out that bitch". Ms. Magomedova was then taken to the office of an investigator, and lost consciousness on three occasions there.

We have been also informed that an ambulance was reportedly prevented from accessing Ms. Magomedova until she was dragged in a state of unconsciousness to the security checkpoint at the entrance of the building. The ambulance then managed to take her to the Khasavyurt city hospital. In the assault, Ms. Magomedova's gold chain was reportedly stolen, her mobile phone broken, and her lawyer's card torn. She only regained consciousness in the evening at the hospital, and a forensic medical expert refused to examine her.

The CCBE is aware that Ms. Magomedova has filed four complaints with the European Court of Human Rights against investigators of the Prosecutor's Office of Khasavyurt, accused of abuses against individuals. We are told that she has also been subjected to various acts of judicial harassment over the past years.

The CCBE strongly condemns the assault against Ms. Magomedova.

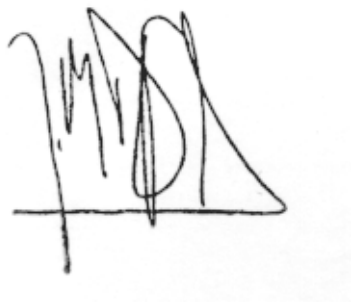
In this context, the CCBE wishes to draw to your attention the following Article of the United Nations Basic Principles on the Role of Lawyers (1990):

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, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.*

In view of the above, the CCBE urges the Russian authorities to take immediate and effective steps to investigate the assault suffered by Ms. Sapiyat Magomedova and bring those responsible to justice, and also to guarantee her protection and that of all lawyers in order to preserve the independence and integrity of the administration of justice. We urge you also to ensure that all actions and threats against lawyers for the legitimate exercise of their professional duties are immediately and effectively stopped.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'JMD', written over a horizontal line. The signature is stylized and somewhat abstract.

JOSÉ-MARÍA DAVÓ-FERNÁNDEZ  
President