

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Promoting human rights by protecting those who defend them

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Dear President, Chairman and Prosecutor General;

Re: Threats Against Lawyers Sapiyat Magomedova and Musa Suslanov

LRWC is a committee of Canadian lawyers and law professors who campaign internationally for advocacy rights and advocates in danger and on rule of law issues.

In response to information obtained from Amnesty International, LRWC has grave concerns for the safety of criminal defence lawyers **Sapiyat Magomedova** and **Musa Suslanov** who work in the North Caucasus republic of Dagestan. These lawyers have worked on cases involving corruption and allegation of human rights violations by members of law enforcement agencies. LRWC have been informed that both lawyers

have received death threats in connection with their work in a high-profile case in which they are representing the families of five men killed in March 2012.

On May 19, Musa Suslanov received a text message threatening him and his colleague to withdraw from the case. Sapiyat Magomedova received a similar text message the following day. Both lawyers have received further threats against their person and their place of work.

There have been regular reports from the North Caucasus of human rights violations and threats made against criminal defence lawyers in that region. The Russian authorities have systematically failed to investigate such violations effectively and bring the perpetrators to justice. As a member of the United Nations General Assembly, Russia is bound by the *Basic Principles of the Role of Lawyers* welcomed by the assembly in 1990.

Article 16 requires that:

“Governments shall ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference”.

Article 17, furthermore, states:

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

The duty to investigate threats made against lawyers is also mandated by the *Declaration on Human Rights Defenders* adopted December 9, 1998 by consensus of the members states of the United Nations General Assembly.

Article 9(5) requires your government to investigate the threats:

“The State shall conduct a prompt and impartial investigation or ensure that an inquiry takes place whenever there is reasonable ground to believe that a violation of human rights and fundamental freedoms has occurred in any territory under its jurisdiction.”

Article 12(1) further requires your government to protect lawyers in the practice of their profession:

“The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.”

LRWC calls for an immediate, thorough and transparent investigation into the threats made against our colleagues Sapiyat Magomedova and Musa Suslanov and for the results obtained to be made public, and for those responsible to be brought to justice. LRWC also calls upon the government of Russia to take swift and effective action to ensure the security of all human rights defenders so they can continue to carry out their legitimate and important work defending human rights.

LRWC awaits your response. Thank you for your attention to our concerns.

Sincerely,



Grace Chen, B.A.,J.D.
Barrister and Solicitor
LRWC member

Copied to:

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