

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

www.lrwc.org; lrwc@portal.ca; Tel : +1 604 738 0338 ;Fax : +1 604 736 1175
3220 West 13th Avenue, Vancouver, B.C. CANADA V6K 2V5

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Chairman of the Investigative Committee of the Russian Federation

Aleksandr Ivanovich Bastrykin
Investigative Committee of the Russian Federation
Tekhnicheskii pereulok, d.2
105005 Moscow, Russian Federation
Fax: 011 7 499 265 9077

President of the Chamber of Lawyers of the Russian Federation

Yevgenii Vasilyevich Semenyanko
Chamber of Lawyers of the Russian Federation
Sivtsev Vrazhek, d.43
119002 Moscow
Russian Federation
Fax: 011 7 495 787 2836
Email: advpalata@mail.ru

Prosecutor General of the Russian Federation

Yurii Yakovlevich Chaika, Prosecutor General's Office
ul. B Dmitrovka, d.15a
125993 Moscow GSP-3, Russian Federation
Fax: 011 7 495 987 5841

Re: Civil and administrative proceedings against the Anti- Discrimination Centre 'Memorial' (ADC Memorial)

Dear Chairman, President and Prosecutor,

I write on behalf of Lawyers' Rights Watch Canada (LRWC), a committee of Canadian lawyers who promote human rights and the rule of law internationally and provide support to lawyers and other human rights advocates whose rights, safety, or independence are threatened as a result of their human rights advocacy.

LRWC is deeply concerned with the civil and administrative proceedings against Russian NGO the Anti- Discrimination Centre 'Memorial' (ADC Memorial), after they published a report entitled "Roma, migrants, activist: victims of police abuse" critical of the use of torture and other ill treatment by police. ADC Memorial is facing four charges; laid between April 30 and July 12, 2013 that are part of the escalating atmosphere of harassment against NGOs in the Russian

Federation. The Prosecutor argues that ADC Memorial is involved in political activities and receives foreign funding, and that it should therefore register as a 'foreign agent'. The main "offence" ADC Memorial would have allegedly committed would be the submission of an alternative report to the United Nations (UN) Committee Against Torture (CAT) in November 2012, with the support of FIDH.

LRWC believes that the proceedings against ADC Memorial are a misuse of the legal system by sanctioning legitimate activities that may expose the wrong doing of government agents. The unfounded allegations are arbitrary and, in the opinion of LRWC, a form of harassment because of the human rights work the organization has become involved in. We strongly believe that the charges against MDC are a misuse of the justice system in order to prevent investigations of acts and omissions of government officials. LRWC echoes the concerns of Secretary General Gerald Staberock of the World Organization Against Torture stating that the cases brought against ADC Memorial are simply evidence of the escalating atmosphere of harassment against NGOs in the Russian Federation and aim at delegitimizing and paralyzing their work.

Freedom of expression, including the right to seek, receive, and impart information and ideas is guaranteed by several international legal instruments, including the Universal Declaration of Human Rights (UDHR), and the International Covenant on Civil and Political Rights (ICCPR), ratified by Russia in October 1973. Civil society groups rely on NGOs that are truly independent of governments to promote and ensure human rights and it is imperative that governments allow organizations to work without fear of repression or reprisal.

Resolution of the 24th Session of the Human Rights Council on the 24th of September 2013, addresses these issues emphasizing the need for creating and maintaining in law and in practice, a safe and enabling environment. The Resolution, recalling the Declaration on the Right and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms urges States to;

Create and maintain, in law and in practice, a safe and enabling environment in which civil society can operate free from hindrance and insecurity; and

Urges all non-State actors to respect all human rights and not to undermine the capacity of civil society to operate free from hindrance and insecurity.

Human rights defenders have the right and duty to promote and ensure the protection of human rights and LRWC urges the Russian government to ensure the safety of all human rights defenders advocating for human rights in Russia. Russia must abide by the resolution of the UN and put an immediate halt to harassment and or reprisals against human rights defenders. LRWC urges an immediate halt to the prosecutions and a further examination of the law on 'foreign agents'.

Thank you for your attention to this serious matter. We look forward to receiving a reply from you and will continue to monitor the situation.

Sincerely,



Fatema Dada
LRWC Member
www.lrwc.org

Copied To:

Special Rapporteur on the situation of human rights defenders,
Mrs. Margaret Sekaggya
c/o Office of the High Commissioner for Human Rights – Palais Wilson
United Nations Office at Geneva
CH 1211 Geneva 10, Switzerland
Email: defenders@ohchr.org

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
Mr. Frank La Rue
Palais des Nations
CH-1211 Geneva 10, Switzerland
Fax: +41 22 917 9006
Email: freedex@ohchr.org

The Embassy of Canada
John C. Sloan - Ambassador - Embassy of Canada - Moscow
23 Starokonyushenny Pereulok
Moscow 119002 Russia
Tel.: + 7 (495) 925-6000
Fax: + 7 (495) 925-6025
Email: mosco@international.gc.ca

Commissioner on Human Rights in the Russian Federation
Commissioner, Mr. Vladimir Lukin
Myasnitskaya UL 47 - 103084 Moscow
rusombuds@ropnet.ru

Hon. Ms. G.C. Knaul de Albuquerque e Silva
UN Special Rapporteur on the independence of judges and lawyers
Office of the United Nations High Commissioner for Human Rights
United Nations Office at Geneva
8-14 Avenue de la Paix 1211
Geneva 10 Switzerland
Fax: +41 22 917 9006
E-mail: SRindependenceJL@ohchr.org

His Excellency Georgy Mamedov
Ambassador for the Russian Federation
285 Charlotte Street
Ottawa, Ontario K1N 8L5
Fax: (613) 236-6342
E-mail: info@rusembassy.ca

Head of the Republic of Dagestan
Ramazan Abdulatipov
Pl. Lenina, 1- 367005 Makhachkala
Republic of Dagestan
Russian Federation
Fax: +7 8722 68 54 84;
Email: raa49@mail.ru