

**Mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; and the Special Rapporteur on the situation of human rights defenders**

REFERENCE: AL  
RUS 3/2016:

12 April 2016

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; and Special Rapporteur on the situation of human rights defenders pursuant to Human Rights Council resolution 25/2, 24/5, and 25/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning allegations of physical attacks and the setting fire of a bus carrying a group of human rights defenders and journalists, Ms. **Ekaterina Vanslova**, Mr. **Ivan Zhiltsov**, Mr. **Egor Skovoroda**, Ms. **Alexandrina Elagina**, Mr. **Mikhail Solunin**, Mr. **Anton Prusakov**, Ms. **Lena Maria Persson Loefgren**, Mr. **Oeystein Windstad** and Mr. **Bashir Pliev**; as well as an additional attack on a human rights defender, Mr. **Igor Kalyapin**. Mr. Kalyapin was the subject of three previous communications sent 22 December 2014, see A/HRC/ 29/50, case RUS 10/2014, 29 February 2012, see A/HRC/20/30 case RUS 1/2012, and 31 March 2014, see A/HRC/27/72 case RUS 4/2014.

Ms. **Ekaterina Vanslova** and Mr. **Ivan Zhiltsov**, are members of the Committee for Prevention of Torture and Mr. **Igor Kalyapin**, is the President of the JMG.

Mr. **Egor Skovoroda** works as a journalist of the Russian news agency, Mediazona; Ms. **Alexandrina Elagina** of the Russian news outlet, the New Times; Mr. **Mikhail Solunin**, is a photographer; Mr. **Anton Prusakov** is a correspondent from the newspaper, Kommersant; Ms. **Lena Maria Persson Loefgren** works for a Swedish radio station and Mr. **Oeystein Windstad** works for the Norwegian newspaper, Ny tid.

**Joint Mobile Group (JMG)** is a group of Russian human rights defenders and human rights organisations established in November 2009, which documents and

provides legal assistance to victims of human rights abuses in Chechnya. They visit Chechnya on a rotating basis in order to investigate human rights violations including torture and forced disappearances. JMG has become one of the main sources of information on human rights abuses in the Russian republic of Chechnya.

According to the information received:

From 6 to 12 March 2016, the Committee for Prevention of Torture organized a press tour to Chechnya for a group of human rights defenders and journalists, namely, Ms. Ekaterina Vanslova, Mr. Ivan Zhiltsov, Mr. Egor Skovoroda, Ms. Alexandrina Elagina, Mr. Mikhail Solunin, Mr. Anton Prusakov, Ms. Lena Maria Persson Loeftgren and Mr. Oeystein Windstad. The aim of the tour was to collect information about the situation of human rights in the region, meet with victims of human rights violations and conduct a series of interviews with local human rights defenders. The group allegedly observed that they were under surveillance as they travelled between Ingushetia and Chechnya.

On 9 March 2016, masked assailants in three cars blocked the bus carrying the delegation near the border of Chechnya and forced the members of the delegation out of the vehicle. The masked assailants beat them with bats, robbed them and set fire to the bus. The attackers allegedly called the human rights defenders and journalists by their names and accused them of being in Chechnya to “defend terrorists”. The police who investigated the bus attack reportedly did not find traces of the delegation’s computers in the remnants of the bus, which could indicate they were taken by the assailants. All documents and personal belongings of the human rights defenders and journalists left inside the bus were destroyed in the fire. The victims subsequently called the police and ambulance services, and Ms. Vanslova, Ms. Loeftgren, Mr. Windstad and Mr. Bashir Pliev were brought to Sunzhensky hospital with bruises and fractures. The victims submitted complaints on the attack to the Ingushetia police, and an investigation was opened under article 213 “hooliganism”; article 167 “destruction of property and robbery; and article 158 “theft” of the Criminal Code of the Russian Federation. At approximately 10:00 p.m. the same day, a group of unidentified camouflaged armed men in five cars broke in to the JMG’s offices in the Ingush town of Karabulak and computers and documents were reportedly stolen.

On 16 March 2016, Mr. Igor Kalyapin was informed by the manager of the Grozny Citi Hotel, where he was staying, that he had to leave the hotel, reportedly because of Mr. Kalyapin’s criticism against the President of Chechnya. As he was leaving the hotel, a group of approximately 15 masked men threw flour, eggs and a bright disinfectant at him. Mr. Kalyapin was reportedly kicked by the assailants several times, including in the stomach. Mr. Kalyapin was about to attend a press conference in Grozny to discuss the above mentioned attack of 9 March 2016.

The JMG offices and members have also in the past been subject to attacks.

On 13 December 2014, unidentified armed men in plain clothes tried to enter the JMG office in Grozny on two occasions, following a demonstration that morning calling for the ban of JMG in Chechnya. Members of JMG were also being followed. On the evening of the same day, the Vice-Minister of Interior and Head of Police of Chechnya, went to the hotel where members of JMG were staying and accused them of spreading false information about previous threats against them. Later that evening the JMG office was set on fire.

On 14 December 2014, several armed men forcibly entered the apartment of the JMG, located next to their office, which was badly damaged in the arson attack the previous day. The armed men refused to identify themselves but later said that they were from the Leninsky District Police Department in Grozny. They did not have a warrant and provided no explanation for their actions. Two members of JMG were present at the time, but they had no means of contact nor access to legal representation for an hour and a half, as the armed men had seized their mobile phones. Two computers and CCTV cameras were also seized.

On 3 June 2015, a mob surrounded the office of JMG. They smashed a car belonging to JMG, before forcing their way into the building entrance. Two JMG staff members, managed to escape through a window. An hour later, the attackers broke into the same apartment, located beside the office. Both the office and the flat were ransacked.

While we do not wish to prejudge the accuracy of these allegations, concern is expressed for the violent attack on members of JMG and journalists, as well as the break-in at the office of JMG, which appears to be as a result of their legitimate and peaceful human rights activities, including their enjoyment of the rights to freedom of expression and freedom of association. Further concern is expressed at the repeated harassment against members of JMG, which appears to be used to dissuade them from carrying out their work, researching and highlighting alleged human rights abuses in Chechnya, and more broadly to quell criticism and deter individuals from exercising their legitimate rights to freedom of expression and freedom of association in the Russian Federation. Serious concern is expressed at the alleged involvement of the authorities of Chechnya in facilitating the harassment against JMG.

In connection with the above alleged facts and concerns, please refer to the **Reference to international law Annex** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

It is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.

2. Please provide the details, and where available the results, of any investigation, medical examinations, and judicial or other inquiries carried out in relation to this case. If no inquiries have taken place, or if they have been inconclusive, please explain why.

3. Please provide the full details of any prosecutions which have been undertaken. Have penal, disciplinary or administrative sanctions been imposed on the alleged perpetrators?

4. Please indicate whether compensation has been provided to the victims.

5. Please kindly indicate what measures have been taken to ensure that human rights defenders in the Russian Federation are able to carry out their legitimate work, and exercise their rights to freedom of expression and freedom of association, in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

We would appreciate receiving a response within 60 days.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

David Kaye  
Special Rapporteur on the promotion and protection of the right to freedom of opinion  
and expression

Maina Kiai  
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Michel Forst  
Special Rapporteur on the situation of human rights defenders

## **Annex**

### **Reference to international human rights law**

First, we would like to refer to articles 19 and 20 of the Universal Declaration on Human Rights (UDHR) and 19 and 22 of the International Covenant on Civil and Political Rights, ratified by the Russian Federation on 16 October 1973, that guarantee the rights to freedom of opinion and expression and freedom of association respectively.

The fundamental principles set forth in 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, also known as the UN Declaration on Human Rights Defenders are also highly relevant in this case. In particular, we would like to refer to articles 1 and 2 of the Declaration, which state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms.

Furthermore, we would like to bring to the attention of your Excellency's Government the following provisions of the UN Declaration on Human Rights Defenders:

- article 5(b) of the aforementioned Declaration, which provides for the right to form, join and participate in non-governmental organizations, associations or groups;

- article 6, which provides for the right to know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, as well as the right to freely publish, impart or disseminate information and knowledge on all human rights and fundamental freedoms, and to study, discuss and hold opinions on the observance of these rights; and

- article 8 which provides for the right to submit to governmental bodies criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realization of human rights and fundamental freedoms.

In this connection, we would also like to refer to Human Rights Council resolution 22/6, which indicates that domestic law should create a safe and enabling environment for the work of human rights defenders (PPs 10-13).

We would also like to refer your Excellency's Government to Human Rights Council resolution 24/5 (operative paragraph 2), in which the Council "reminds States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to

promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law.”