

Mandates 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: UA
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Excellency,

We have the honour to address you in our capacity 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 resolutions 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 the attacks, smear campaign, stigmatisation and harassment against Mr. **Andrey Yurov** and other human rights defenders working in Human Rights House Voronezh.

Mr. Andrey Yurov is a member of the Human Rights Council under the President of the Russian Federation and honorary president of the International Youth Human Rights Movement (IYHRM), which has its offices in the Human Rights House Voronezh community centre. Mr. Yurov is an expert in human rights education and advocacy, and has been involved in many human rights and civil society initiatives in Russia and neighbouring countries.

Human Rights House Voronezh and IYHRM were the subject of two previous communications by the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, and the Special Rapporteur on the rights to freedom of peaceful assembly and of association, dated 21 January 2013 (case no. RUS 1/2013) and 26 August 2013 (case no. RUS 6/2013). We acknowledge receipt of the responses from your Excellency's Government to both communications. We welcome the information that the orders cancelling the lease and free use agreements of organizations based in Human Rights House Voronezh were revoked. However, given new information received, concern is expressed regarding the physical and psychological integrity and security of members of human rights organizations based in the Human Rights House Voronezh.

According to the new information received:

On 25 June 2014, signs bearing the names of organizations with offices in the Human Rights House Voronezh were removed and vandalized.

It is reported that, on the same day, a banner was placed in Voronezh city centre with the phrase “The Fifth column in Voronezh. These are traitors, scum and simply freaks! Know their faces!” and pictures of members of the Human Rights House Voronezh, as well as other human rights defenders of the city. ‘Group of Changes’ allegedly claimed responsibility for the action, with witnesses reportedly recognizing an active member of the group as the person who put up the banner.

Between 23 and 28 June 2014, the human rights festival ‘City of Rights’, organized by Human Rights House Voronezh and partner organizations was held in Voronezh. During the festival, posters were reportedly displayed in public places in the city, containing information on the activities of each of the members of Human Rights House Voronezh and Lesbian, Gay, Bisexual and Transgender rights activists in Voronezh. ‘Group of Changes’ allegedly claimed responsibility for the posters. According to reports, on its social networking site ‘V kontakte’, the group claimed that the aim of the posters was to “demonstrate the anti-Russian activities of the human rights organizations, as well as to show the existence of a fifth column in the city of Voronezh, which undermines the civil foundations of the state.” It is understood that a ‘fifth column’ is a term applied to human rights defenders, political opposition, and other persons critical of the Russian Government’s policies, especially those that accept foreign funding.

At approximately 6:20 p.m. on 1 July 2014, it is reported that two masked men physically assaulted and threw a green-coloured antiseptic liquid at Mr. Andrey Yurov’s face. The attack took place near Human Rights House Voronezh, and Mr. Yurov reportedly suffered a first degree chemical burn.

Serious concern is expressed at the physical attack, smear campaign, stigmatization and intimidation of human rights defenders based in Human Rights House Voronezh, which are believed to be the result of their peaceful human rights activities.

While we do not wish to prejudge the accuracy of these allegations, we would like to refer your Excellency’s Government to articles 19 and 22 of the International Covenant on Civil and Political Rights, which respectfully guarantee the right to freedom of opinion and expression and freedom of association.

We also wish to refer your Excellency’s Government to 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, and in particular articles 1, 2, and 12.

We would finally like to refer to the Human Rights Council resolution 24/5, which highlights the obligation of States to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, as well as resolution 13/13, which recognizes “the immediate need to put an end to and take concrete steps to prevent threats, harassment, violence, including gender-based violence, and attacks by States and non-State actors against all those engaged in the promotion and protection of human rights and fundamental freedoms for all” as well as to adopt the necessary measures to prevent such acts.

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency’s Government to safeguard the rights of the above-mentioned person in compliance with international instruments.

As 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 any comment you may have on the above-mentioned allegations of an attack, smear campaign and acts of intimidation against Mr. Andrey Yurov and other human rights defenders working in Human Rights House Voronezh.

2. Has a complaint been lodged by or on behalf of the alleged victims? If yes, 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, including against ‘Group of Changes’. Have penal, disciplinary or administrative sanctions been imposed on the alleged perpetrators? If no such actions have been taken, or if they have been inconclusive, please explain why.

4. Please indicate what measures have been taken to ensure that human rights defenders in the Russian Federation are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort, including physical attacks, smear campaigns, stigmatization and intimidation.

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 responsible of 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