

**Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; and the Special Rapporteur on the rights of indigenous peoples**

REFERENCE: AL  
RUS 8/2014:

2 October 2014

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 situation of human rights defenders; and Special Rapporteur on the rights of indigenous peoples pursuant to Human Rights Council resolutions 25/2, 25/18, and 24/9.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **alleged prevention of travel of four indigenous human rights defenders from the Russian Federation to take part in the United Nations World Conference on Indigenous Peoples in New York (22-23 September 2014)**.

Mr. **Rodion Sulyandziga** is director of the Russian Center for Support of Indigenous Peoples of the North.

Ms. **Anna Naikanchina** also works at the Russian Center for Support of Indigenous Peoples of the North and is a former member of the UN Permanent Forum on Indigenous Issues.

Ms. **Valentina Sovkina**, head of the Council of Authorized Representatives of the Sami in the Murmansk Oblast, and Ms. **Alexandra Artieva**, member of the Public Organisation of Saami People living in Murmansk Oblast, work promote and protect the rights of Kola Sami.

According to the information received:

On 18 September 2014, Mr. Rodion Sulyandziga went to Sheremetyevo International Airport in Moscow in order to take a flight to New York. At approximately 1:30 p.m., as he was passing through passport control, his passport was allegedly seized by customs officials. He was approached by two officers who informed him that his passport was not valid because one page was missing.

He was allegedly taken to another room for further clarifications, where he was asked to write a document certifying the invalidity of his passport. Mr. Sulzandyiga refused to comply, claiming that the passport had not been damaged prior to the passport control. At approximately 3:00 p.m., he was shown his passport, from which a page had been cut. It is alleged that he was presented with a notice declaring that his passport had been retained and he was requested to report on 26 September for further clarifications. As a consequence, he was unable to exit the Russian Federation and to take part in the World Conference on Indigenous Peoples in New York, and is facing administrative sanctions.

On 20 September, Ms. Anna Naikanchina, allegedly had an experience similar to Mr. Sulyandzida. She arrived at 7.00 am at the Sheremetyevo International Airport. Having checked in for the flight to New York, she approached the passport control at 8.15am. It is alleged that authorities told her that she was not allowed to leave the country as her passport was not valid. Ms. Naikanchina was told the passport was damaged. When she demanded to show the damage, the officer pointed to cuts on the pages 24-25 of the passport. Her passport was seized and she was taken to another room for further clarifications. In the room, the officers prepared two reports, one on the seizure of the passport and the other on administrative sanctions. Ms. Naikanchina was asked to write an explanatory note. She left the room at 12.30pm and left the airport without passport at 14.30. As a result, Ms. Naikanchina was unable to continue her travel to New York and could not participate in the World Conference on Indigenous Peoples.

On 20 September, Ms. Valentina Sovkina and Ms. Alexandra Artieva faced several attempts to impede their travel during their drive from Lovozero in the Russian Federation to Kirkenes, Norway, from where they wanted to take a flight to New York. It is reported that the tires of the car that they planned to use were punctured. Later, they were allegedly stopped and questioned three times by traffic police in Olenegorsk, Murmansk and Zapolyarniy. After initial exchanges, it became apparent to Ms. Sovkina and Ms. Artieva that they were allegedly expected by the police. During the last check before the entry to Zapolyarniy, an attempt was made by an unknown individual to steal Ms. Sovkina's belongings. When the person was caught by Ms. Sovkina and her driver, the traffic police intervened in a manner that the suspect managed to get away. Ms. Sovkina suffered some injuries as a result of the assault. At the border control with Norway, Russian border guards thoroughly checked their vehicle and, after having stamped Ms. Sovkina's passport, requested to check her passport again. With the delay of a day, they managed to exit the Russian Federation and flew from Norway to New York in order to take part in the the World Conference on Indigenous Peoples.

While we do not wish to prejudge the accuracy of these allegations, we would like to draw the attention of your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

In connection to 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 any comment you may have on the above-mentioned allegations of attacks and harassment.
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 of the attempted theft?
4. Please indicate what measures have been taken to ensure that the legitimate right of the above-mentioned persons to unhindered access to and communication with international bodies, including the United Nations and its conferences.
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 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 persons 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

Michel Forst  
Special Rapporteur on the situation of human rights defenders

Victoria Lucia Tauli-Corpuz  
Special Rapporteur on the rights of indigenous peoples

**Annex**  
**Reference to international human rights law**

In connection with above alleged facts and concerns, we would like to draw your attention to the following human rights standards:

We would like 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, also known as the UN Declaration on Human Rights Defenders. 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 article 9, paragraph 4, point a) of the UN Declaration on Human Rights Defenders, which provides for the right to unhindered access to and communication with international bodies.

We would also like to refer to Human Rights Council Resolution 24/24 which calls on States to ensure adequate protection from intimidation or reprisals for cooperation with the United Nations, its mechanism and representatives in the field of human rights.

We would also like to refer to your Excellency's Government to article 19 of the International Covenant on Civil and Political Rights, which provides that "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."