

**NATIONS UNIES
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**PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL**

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

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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 General Assembly resolution 60/251 and to Human Rights Council resolutions 16/4, 15/21, and 16/5.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received concerning acts of intimidation against the Deputy Director of the Russian Interregional Committee Against Torture, **Ms. Olga Sadovskaya**, and threats against **Mr. Supian Baskhanov**, head of the Committee Against Torture Grozny office and **Mr. Magomed Alamov**, inspector at Committee Against Torture's public investigations department. The Committee Against Torture is a prominent human rights organisation which works at combating torture, assisting the victims of human rights abuses and fighting impunity in the Russian Federation and, in particular, in the Chechen Republic. The Committee Against Torture won the 2011 Human Rights Prize of the Parliamentary Assembly of the Council of Europe which was presented to them on 23 June 2011.

According to the information received:

Ms. Sadovskaya was allegedly subjected to acts of intimidation on the days leading up to the European Union-Russia Summit and the European Union-Russia Civil Society Forum, for non-governmental organisations, of which she was a member of the Steering Committee. These summits were held in parallel on 9 and 10 June 2011, in Nizhny Novgorod.

It was reported that on 6 June 2011, Ms. Sadovskaya was notified that all her credit cards were blocked apparently due to suspicious withdrawals. On 7 June

2011, one of the registration plates of her car was allegedly unscrewed. It was reported that the next day she was called to the Public Prosecutor's office where she was questioned about the Civil Society Forum. According to the information received, when she returned to her car following the questioning, she noticed that the second registration plate had been removed. She brought the incident to the attention of a representative of the Road Police who allegedly ignored her complaint. The same representative stopped Ms. Sadovskaya 30 minutes later as she was driving, on the grounds that her car had no registration plates. According to information received, she was then escorted to the police station where her driver's licence was confiscated.

On 25 June 2011, graffiti depicting Ms. Sadovskaya as serving foreign interests and protecting terrorists reportedly appeared on a wall near her home in Nizhni Novgorod. She allegedly noticed it as she returned home from Strasbourg where the Committee Against Torture had received the 2011 Human Rights Prize of the Parliamentary Assembly of the Council of Europe.

On 24 June 2011, Mr. Baskhanov and Mr. Alamov took part in a peaceful demonstration which was held in Grozny in celebration of International Day in Support of Victims of Torture. It was reported that over 40 victims of torture and human rights defenders attended this event. Allegedly, a poster which read "We are against arbitrariness of the police!" caused one of the police officials present to argue with the demonstrators and the demonstration was soon halted by the police who threatened to arrest those involved after which the organizers decided to disperse. Mr. Baskhanov and Mr. Alamov were summoned to the police department of Grozny where they were met by senior police in the presence of the head of Grozny Department of the interior.

According to reports received, Mr. Baskhanov and Mr. Alamov were asked for their home addresses and enquiries were made about their families and children. It was reported that they were told that the slogans relating to the arbitrariness of the police signified that they were either supporters of rebels or that their relatives were members of armed groups. It is alleged that the police informed Mr. Baskhanov and Mr. Alamov that criticism of the Chechen police was not permitted and that if they continued to criticise the police they would not be able to continue their work in the Republic Chechnya.

Concern is expressed regarding the acts of intimidation directed at Ms. Olga Sadovskaya and the threats against Mr. Supian Baskhanov and Mr. Magomed Alamov which, it is feared, pose a risk to their physical and psychological integrity. Further concern is expressed regarding the allegations received indicating that the peaceful demonstration in celebration of International Day in Support of Victims of Torture, organized by the Committee Against Torture in Grozni, could not take place due to threats by the police and that the activities of some of the human rights defenders involved were stigmatized as being supporters of rebels or being members of armed groups. Finally, concern is expressed that these incidents are directly linked to their work

in defence of human rights, in particular their work with the Committee Against Torture in combating torture and impunity in the Chechen Republic.

While we do not wish to prejudge the accuracy of these allegations, we wish to draw your Excellency's Government's attention to the right to physical and mental integrity of Ms. Olga Sadovskaya and Mr. Supian Baskhanov and Mr. Magomed Alamov given the reported acts of intimidation and threats against them.

Regarding the allegations received indicating that the right to freedom of opinion and expression and the right to peaceful assembly of the afore-mentioned defenders was unduly restricted, we would also like to appeal to your Excellency's Government to take all necessary steps to secure the right to freedom of opinion and expression in accordance with fundamental principles as set forth in article 19 of the International Covenant on Civil and Political Rights (ICCPR), 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."

In addition, we would like to appeal to your Excellency's Government to take all necessary steps to ensure the right of peaceful assembly as recognized in article 21 of the ICCPR, which provides that "The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interest of national security of public safety, public order (ordre public), the protection of public health or morals of the protection of the rights and freedoms of others."

In addition, 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, and in particular articles 1 and 2 which state that "everyone has the right individually or in association with others, 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, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice."

Furthermore, we would like to bring to the attention of your Excellency's Government the following provisions of the Declaration:

- article 5, point a) which establishes that for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels, to meet or assemble peacefully;

- article 6, point a) which provides that everyone has the right, individually and in association with others to know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems; and

- article 12, paras. 2 and 3 of the Declaration which provide that 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 Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

We urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the above mentioned persons are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

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 persons in compliance with the above international instruments.

Moreover, 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. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters, when relevant to the case under consideration:

1. Are the facts alleged in the above summary of the case accurate?
2. Please, provide information on the legal basis for the action of the police which halted the demonstration in celebration of International Day in Support of Victims of Torture in Grozni and threatened to arrest those involved and how this was compatible with international norms and standards.
3. Has a complaint been lodged by or on behalf of Ms. Olga Sadovskaya, Mr. Supian Baskhanov and Mr. Magomed Alamov?

4. Please provide the details, and where available the results, of any investigation, 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.

We undertake to ensure that your Excellency's Government's response to each of these questions is accurately reflected in the report we will submit to the Human Rights Council for its consideration.

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

Frank La Rue
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

Margaret Sekaggya
Special Rapporteur on the situation of human rights defenders