

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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RUSSIAN FEDERATION: END PERSECUTION OF IVAN SAFRONOV'S LAWYERS

Amnesty International is deeply concerned about the unprecedented pressure placed by the Russian authorities on defence lawyers Ivan Pavlov and Evgeny Smirnov representing Russian journalist, Ivan Safronov, who has been charged with high treason. The organization is also concerned about the continuing unlawful pressure exerted by the investigative authorities on Ivan Safronov and the conditions of his pre-trial detention. The actions of the Russian authorities violate the rights to fair trial, freedom of expression and freedom of association, as well as are entirely inconsistent with the obligations to protect human rights defenders.

On 25 November, the Qualification Commission of the St. Petersburg Bar Association was to hear a motion filed by the Ministry of Justice to discipline and disbar Ivan Pavlov, one of the most prominent human rights lawyers in Russia. Ivan Pavlov believes that the motion was initiated by the Russian Federal Security Service (FSB) that has been investigating Ivan Safronov's case. This is the third attempt by the Ministry of Justice to ban Ivan Pavlov from practising his profession and prevent his clients, including Ivan Safronov, from enjoying full legal defence. In its motion, the Ministry of Justice argues among other things, that Ivan Pavlov did not show up for investigative activities without a good reason, gave information about his defence cases to media outlets, received funding from foreign organizations and "conducted political activities" which, according to the Ministry of Justice, was aimed at "discrediting the Russian government and its policies". However, the Ministry of Justice requested that the hearing was postponed for an unspecified later date due to "further updates to the motion".

Earlier on 8 November, the Ministry of Justice listed Ivan Pavlov and four of his former colleagues at Team 29, the organization that worked to defend the right to freedom of information, as "mass media performing the functions of a foreign agent". Team 29 had to close down its operations after it had been accused of engaging with an "undesirable organization" to protect its staff from criminal prosecution.

Ivan Pavlov has also been criminally prosecuted for the "disclosure of materials of the investigation". The proceedings were initiated against him by the FSB in regard to his work on Ivan Safronov's case in April 2021. This came shortly after Ivan Pavlov had stepped in as a lawyer into another high-profile case related to designation of Alexey Navalny's network of offices and organizations as "extremist" organizations. The investigative authorities requested measures of restraint for Ivan Pavlov that involved prohibition of his access to means of communications, and as a result he could no longer conduct his professional activities. In September, it was reported that the lawyer had to leave Russia due to unrelenting persecution so that he could keep working on his clients' cases. Although the Russian authorities, according to Ivan Pavlov, were fully aware of his departure and, in fact, made every possible effort to push him into exile, Ivan Pavlov was put on a wanted list shortly after he had left.

On 22 November, news reports emerged that disciplinary proceedings had been started against another Ivan Safronov's lawyer, Evgeny Smirnov. The motion to the Leningrad Region Bar Association regarding him was initiated by the Investigation Department of the FSB. Like in the case of Ivan Pavlov, the FSB alleges that Evgeny Smirnov did not show up for investigative activities in Ivan Safronov's and another client's cases without a good reason on six occasions. Evgeny Smirnov also had to leave Russia.

Both lawyers insist that the accusations are groundless and maintain that investigation activities have never been disrupted at their fault. The nature of the accusations against the two lawyers known for their integrity and professionalism and the fact that proceedings were initiated almost simultaneously at the point when the criminal charges against their client, Ivan Safronov, were looking increasingly spurious, and Ivan Safronov was refusing to cooperate with the investigators despite the pressure, suggest that the disciplinary proceedings are baseless and politically motivated. Ivan Safronov, who used to work for the *Kommersant* and *Vedomosti* newspapers as a journalist and as an advisor to the head of the Russian space agency Roscosmos, has spent over a year in pre-trial detention on high treason charges.

Pressure on Ivan Pavlov and Evgeny Smirnov is an attempt to get the defence lawyers out of the picture in Ivan Safronov's case, to pressurize him and deprive Ivan Safronov of his right to fair trial. This is also evidenced by the harsh detention conditions that Ivan Safronov has been experiencing since his first day behind bars. For example, he was placed in an isolation cell on a spurious reason. He is not allowed any visitation or phone calls, and over two months ago he was banned from sending and receiving letters. In 2020, Ivan Safronov was reportedly prohibited from calling his mother on her birthday under the pretext that "phone conversations with the person who happens to be a witness in the criminal case can be used by I. I. Safronov to secretly pass information or perform other intelligence tasks assigned by a foreign intelligence agency to subvert the security of the Russian Federation or to hamper the investigation". The ban on contacts with the outside world violates, in particular, Rule 58 of the UN Standard Minimum Rules for the Treatment of Prisoners. Unlawful prosecution of Safronov's lawyers violates his right to legal defence and fair trial under Article 6 of the European Convention on Human Rights, Article 14 of the International Covenant on Civil and Political Rights, Article 6 of the Russian Constitution and the safeguards enshrined in the domestic criminal and criminal procedure law.

Also, the UN Basic Principles on the Role of Lawyers provide that governments must ensure that lawyers "are able to perform all their professional functions without intimidation, hindrance, harassment or improper interference." The Basic Principles also provide that lawyers "shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics."

Russian authorities must therefore immediately end the intimidation, harassment and persecution of Ivan Pavlov and Evgeny Smirnov. Authorities must ensure that Ivan Pavlov and Evgeny Smirnov are able to freely continue their work unhindered, and without any reprisals. Moreover, Ivan Safronov should no longer be pressurized which includes bringing his pre-trial detention conditions in line with international standards, including allowing him contacts with the outside world.