

URGENT ACTION

LAWYER THREATENED IN NORTH CAUCASUS

On 31 May, Rustam Matsev, a lawyer working in Nalchik, Kabardino-Balkaria in the Russian North Caucasus, received a death threat from a senior police official. The police officer also demanded that Rustam Matsev's client withdraw his complaint about abduction and ill-treatment by law enforcement.

Rustam Matsev is a member of the Karachaevo-Cherkessia Bar Association but also works in the neighbouring republic of Kabardino-Balkaria taking up many cases involving allegations of torture and other human rights violations by members of law enforcement agencies. His clients include individuals accused of membership in armed groups. According to Rustam Matsev, on 31 May 2012, prior to a face-to-face confrontation of one such client with a senior police official at a pre-trial detention centre in Nalchik, he was told by this official that he should stop "teaching his defendant to lie." This statement referred to Rustam Matsev's client's allegations of abduction, ill-treatment and subsequent fabrication of a criminal case against him by police. The police official demanded that Rustam Matsev's defendant withdraw his complaint and agree to be tried under the so-called "special procedure" (a closed court session in which the defendant pleads guilty, agrees to be sentenced without a full hearing and waives his right to appeal).

According to Rustam Matsev, following his refusal to facilitate this, the police official threatened him saying that when they conduct security operations to "liquidate" members of armed group, lawyers may be "blocked" in the same way. Matsev was also told that he should watch his back constantly when he is moving around because the police are following him and know everything about what he is doing. Rustam Matsev perceived the police official's statements as a real threat to his life and that a criminal case could be fabricated against him

Please write immediately in Russian or your own language:

- urging the Russian authorities to investigate, promptly and effectively, the above allegations;
- to ensure that lawyers in Russia are able to perform their professional duties without intimidation, hindrance, harassment or improper interference in accordance with the UN Basic Principles on the Role of Lawyers;
- where the security of lawyers is threatened as a result of discharging their functions, to adequately safeguard them in accordance with the UN Basic Principles on the Role of Lawyers;
- to bring to justice any law enforcement official found guilty of human rights violations, intimidation and harassment of lawyers, defendants and other participants in the criminal justice process.

PLEASE SEND APPEALS BEFORE 18 JULY 2012 TO:

Prosecutor of Republic of Kabardino-Balkaria

Oleg Olegovich Zharikov
Office of the Prosecutor of KBR
Pr. Kulieva, 16
Nalchik 360030
Kabardino-Balkaria
RUSSIAN FEDERATION
Fax: +7 8662 47 74 42 (say "FAX")
Email: mail@prokkbr.ru;
prokuratura-kbr@mail.ru
Salutation: Dear Prosecutor

Head of Investigative Directorate

Gen.-Lt. V.H. Ustov
Investigative Committee
Pr. Lenina, 36
Nalchik 360051
Kabardino-Balkaria Republic
RUSSIAN FEDERATION
Fax: +7 8662 77 11 49
(if a voice answers say "FAX" clearly)
Email: press-skp-kbr@mail.ru
Salutation: Dear Head of Investigative Directorate

And copies to:

Deputy Prosecutor General

Ivan I. Sydoruk
Prosecutor
ul. Kozlova, d. 52/14
Piatigorsk, Stavropol krai 357500
Russian Federation
Fax: +7 8793 97 36 94
(if the fax number is answered by a live operator please say clearly "FAX")
Email: ugpskfo@rambler.ru

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Like several other republics in the North Caucasus, Kabardino-Balkaria is affected by the activities of armed groups who have carried out a number of attacks in the region, directed against law enforcement and other state officials, as well as civilians. In October 2005, its capital Nalchik was the site of an attack by a group of several dozen members of armed groups resulting in high numbers of casualties among police and other security officials as well as civilians. Human rights organizations have repeatedly criticised the law enforcement response to these threats for numerous human rights violations, including alleged enforced disappearances, the use of torture and other ill-treatment by police and investigation officials. The ensuing trials of alleged members of armed groups have been marred by violation of the right to a fair trial.

Lawyers who take up cases involving allegations of human rights violations by law enforcement officials in Kabardino-Balkaria and across the North Caucasus have been subjected to harassment, pressure and even violence by law enforcement officials. (For example, see the cases of Sapiyat Magomedova in Amnesty International, *Russian Federation: Beaten up for speaking out: Attacks on human rights defenders in the Russian Federation*, EUR 46/038/2011.)

On 20 January 2012, lawyer Omar Saidmagomedov from Makhachkala, in Dagestan, and his client, were shot dead outside of the client's home by security officials. The authorities reportedly claimed that he and his client were members of an armed group who had put up armed resistance to security officials. However, according to Saidmagomedov's colleagues in Dagestan, such claims were unfounded and were only raised by the authorities to justify their killing. Omar Saidmagomedov had lived openly and actively practiced law. In the view of his colleagues, he was targeted in connection with his professional activities.

Name: Rustam Matsev

Gender m/f: male

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