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Dangerous profession: Lawyers in the North Caucasus

Lawyers are often the last line of defence for those facing torture and unfair trial in the North Caucasus and elsewhere in Russia, yet they themselves often come under attack in connection with their work, Amnesty International said in a report published today.

[Confronting the circle of injustice: Threats and pressure faced by lawyers in the North Caucasus](#), examines the harassment faced by criminal defence lawyers in the North Caucasus, a region of the Russian Federation where the violence of armed groups is countered by the heavy-handed response of the authorities, often with scant respect for basic human rights.

“Russian lawyers have a duty to protect the rights of their clients in the face of criminal justice system geared to delivering convictions. Fulfilling their duties towards their clients often brings considerable risks to themselves,” said John Dalhuisen, Amnesty International’s Europe and Central Asia Programme Director.

Torture is frequently used in Russia as a means of securing confessions. Lawyers who try to prevent their clients from incriminating themselves and who challenge violations of their clients’ rights are often seen as a hindrance to the administration of justice, rather than crucial guarantors of it.

“Unfortunately, lawyers in the North Caucasus who fight for the rights of their clients are often intimidated, threatened, sometimes subjected to physical violence and even killed, while law enforcement officials behind these attacks enjoy impunity.”

The North Caucasus, a region in the Russian Federation comprising six republics – Chechnya, Dagestan, Ingushetia, Kabardino-Balkaria, Karachaevo-Cherkessia and North Ossetia – as well as the Stavropol region, is the scene of attacks by armed groups against law enforcement officials, members of local administrations, prominent figures and members of the general public.

The Russian authorities are obliged to provide security for local population in accordance with the rule of law and with full respect for human rights.

However, law enforcement officials are often reported to use torture and other ill-treatment for investigation purposes. There are also allegations of enforced disappearances and unlawful executions.

When the Russian authorities fail to investigate effectively such cases, this further undermines the rule of law.

Against this backdrop, lawyers have a vital role to play in representing victims of human rights abuses and ensuring fair trials for those accused of participating in armed groups, or other criminal activity.

“For the detainee, the defence lawyer is often the only contact with the outside world that can attest to their torture and seek to uphold their rights,” Dalhuisen said.

“Those lawyers who confront the circle of injustice in the North Caucasus often themselves become its victims.”

The report published today presents a string of cases where lawyers were ill-treated and in one case even killed.

In 2010, Dagestani lawyer Sapiyat Magomedova was beaten by police when she went to visit her detained client. After she complained and insisted that the incident be impartially investigated, she herself had criminal charges brought against her.

In December 2011, a lawyer in Nalchik was badly injured in a suspicious car accident involving police. He received death threats both before and after this incident. Police have failed to investigate the road incident.

Lawyer Omar Saidmagomedov and his cousin were killed by security officials on 20 January 2012 in a street of Makhachkala, Dagestan, which the authorities reported as the killing of two members of an armed group. However, Saidmagomedov’s colleagues allege he was unlawfully executed, and themselves face harassment in connection with their attempts to uncover the truth.

“The very lawyers who represent victims of abuses by law enforcement officials face the same problem as their clients – the lack of effective legal remedies that would enable them to have the perpetrators identified and brought to justice,” said Dalhuisen.

“Being a lawyer and knowing the law is sadly not an advantage that makes much difference when powerful security officials are involved. As a result, impunity for human rights violations prevails.

“The Russian authorities must ensure that lawyers are protected and free to perform their professional duties without fear. They must ensure that all perpetrators of violence and other abuses in relation to lawyers are brought to justice. And they must ensure that lawyers are able to defend their clients without obstruction.”