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Le Président

**President Dmitry Medvedev
Office of the President
Staraya pl. 42
103132 Moscow
Russian Federation**

Luxemburg 31 July 2011

IDHAE URGENT APPEAL FOR SAPIYAT MAGOMEDOVA

Nos réf : 0220905 BF/PF

Dear Prime Minister,

The European Bar Human Rights Institute (IDHAE). whose affiliated are the Human Rights Institutes of the Bar of Paris, Brussels, and Bordeaux, the Rechtsanwaltskammer of Berlin, as well as the Law societies of Luxembourg and Geneva, the Union Internationale des Avocats (UIA) and Polish Bar human Rights Institute, is repressing the worldwide truggle for human rights of the Bars. It has as among its aim interventions, regardless of the limitations of borders, in favour of freedom and the fundamental rights of lawyers.

We would like to express our concern about the situation of our colleague human rights lawyer from Dagestan; Ms Sapiyat Magomedova who was charged with committing two criminal offences on 27 July 2011, relating to a complaint lodged against her by police officers alleging that she assaulted and insulted them in June 2010.

The charges were brought against her following her complaint about an assault against her by police officers in June 2010. The case is currently being reviewed by the Prosecutor's Office who will decide whether to proceed with prosecution.

Sapiyat Magomedova is a lawyer at Omarov and Partners, a law firm known for its strident defence of human rights. Omarov and Partners frequently takes on cases relating to abductions, torture and extrajudicial executions in Dagestan

Institut des Droits de l'homme des Avocats Européens - European Bar Human Rights Institute
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We received numerous reports suggesting that allegations of public insult and violence against representatives of state authorities are a common tactic used by members of police as a means of countering allegations against their own members and avoiding criminal prosecution for their actions.

According to our information, the criminal case against her was opened unlawfully, as the police's counter-claim against her was not officially registered and was backdated after she had filed her own complaint, and there were procedural violations during the investigation. Sapiyat Magomedova says that false witnesses were produced. The Prosecutor's Office now has to decide whether to proceed with the prosecution.

The IDHAE is deeply concerned that Sapiyat Magomedova may be targeted for her legitimate work as a lawyer. We are also concerned that the travel restrictions issued preventing her from travelling outside Dagestan is impeding her from carrying out her professional duties as a human rights lawyer.

As a result of the criminal charges, the Bar Association of Dagestan has been put under increasing pressure to revoke Sapiyat Magomedova's licence to practice as a lawyer.

In view of the above, we call on the Russian authorities to:

Immediately drop all criminal charges against human rights defender Sapiyat Magomedova, and lift restrictions imposed on her freedom of movement;

2. Take all necessary measures to ensure that the physical and psychological integrity and security of Sapiyat Magomedova, permitting her to carry out her legitimate human rights work without fear of reprisals, including judicial harassment;

3. Guarantee in all circumstances that human rights defenders in the Russian Federation are able to carry out their legitimate human rights activities without fear of reprisals, and free of all restrictions including judicial harassment in accordance with the United Nations' *Basic Principles on the Role of Lawyers* adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (1990). Paragraph 16 of these Principles reads: "*Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) 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.*"

Yours sincerely

Bertrand FAVREAU
Président

Mario LANA
Vice-President

Christophe PETTITI
Secrétaire Général

Georges Albert DAL
Vice Président

Thierry BONTINCK
Tresurer