

URGENT ACTION

THREATS AGAINST LAWYER TO BE INVESTIGATED

The investigation has been opened into death threats made against criminal defence lawyer Magamed Abubakarov from North Caucasus, Russia, from an unfamiliar phone number. It remains to be seen whether anybody will be found responsible.

On 11 February 2013, **Magamed Abubakarov** filed a complaint with the local police in Kabardino-Balkaria, Russia in relation to threatening messages he had received on his mobile phone between 6 and 11 February. On 22 February, an investigator of the Regional Office of the Ministry of Internal Affairs of the Russian Federation in Nalchik opened a criminal investigation under Part 1, Article 119 of the Criminal Code (threat to kill or cause grievous bodily harm).

There are concerns that, like in many other similar cases, after performing some formal investigative activities, the investigation will stall and be suspended on the grounds of "failure to establish a suspect".

Between 6 and 11 February 2013, Magamed Abubakarov received threatening messages from an unrecognizable mobile number. The sender demanded to know where he was and told him he would not be able to hide. Magamed Abubakarov called the number and texted the sender offering to meet, but his calls and messages were ignored. After Magamed Abubakarov reported the threats and the phone number from which they came to the police, he received a message, which stated: "the time to ... [talk] is over. ... [you will be talking] in a mortuary".

Magamed Abubakarov first received threats in connection with his professional activities in 2007. Since then, threats have been regular.

Please write immediately in Russian or your own language:

- Welcoming the opening of the investigation into the threats made against Magamed Abubakarov in February 2013;
- Urging the Russian authorities to investigate Magamed Abubakarov's complaints about the threats he has received in an effective, independent and impartial manner, to identify perpetrators and bring them to justice;
- Urging them to ensure that criminal defence lawyers in the North Caucasus are able to discharge their functions without intimidation, hindrance and harassment, including from members of law enforcement agencies.

PLEASE SEND APPEALS BEFORE 10 APRIL 2013 TO:

Minister of Internal Affairs
Sergei Valentinovich Vasilyev
Minister of Internal Affairs of the
Kabardino-Balkaria Republic
ul. Kuliev, 10a
360000 g. Nalchik
Kabardino-Balkaria
Russian Federation
Fax: +7 8662 49 52 00
Email: mvd_kbr@mail.ru
Salutation: Dear Minister

Head of the Directorate of the Federal
Security Service
Maj.-Gen. Sergei Leonidovich Kumenniy
Head of the Directorate of the Federal
Security Service for Kabardino-Balkaria
ul. Lenina, 4
360000 g. Nalchik
Kabardino-Balkaria
Russian Federation
Fax: +7 8662 48 17 090
Email: kbr@fsb.ru
**Salutation: Dear Major-General
Kumenniy**

Prosecutor General of the Russian
Federation
Yurii Yakovlevich Chaika
Prosecutor General of the Russian
Federation
Prosecutor General's Office
ul. B. Dmitrovka, d.15a
125993 Moscow GSP- 3
Russian Federation
Fax: +7 495 987 58 41
+7 495 692 17 25
Email: prgenproc@gov.ru
Salutation: Dear Prosecutor General

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

Magamed Abubakarov is a criminal defence lawyer from Chechnya, currently working in Kabardino-Balkaria, another republic in Russia's North Caucasus. He is widely known for his brave work on some of the most sensitive cases in the North Caucasus, many of which involve strong allegations of abductions, torture and fabrication of criminal charges by law enforcement officials, as well as for his media interviews on the subject. Magamed Abubakarov has worked with several human rights organizations, including Amnesty International, and one of his clients, Rasul Kudaev, a former Guantanamo prisoner, has been the subject of several of Amnesty International's Urgent Actions as a victim of torture and other ill-treatment at the hands of investigation officials and penitentiary administration.

On the night of 15 December 2011, Magamed Abubakarov was driving alone in a car when he was stopped by armed masked police in a quiet street in Nalchik. After showing his papers, Magamed was told to open the car boot and as soon as he did so another car drove into him from behind at full speed. He was badly injured, with one of his legs crushed, and spent several months recovering in hospital. He initially thought this was an accident although he could not rule out ill-intention; his suspicions grew after the driver responsible for the accident stopped answering his calls. The police did nothing to establish his whereabouts or investigate the incident, and afterwards Magamed Abubakarov was not given a chance to see police's case file on this incident.

The North Caucasus is a region in the Russian Federation characterized by insecurity and volatility perpetrated by armed groups who launch attacks against security forces, local officials and civilians. The authorities' response to this threat is focused on security operations and heavy-handed law enforcement, which are often marred by alleged human rights violations, such as extrajudicial executions, enforced disappearances, secret detention and torture and other ill-treatment. (For details, see report *Russian Federation: The circle of injustice: Security operations and human rights violations in Ingushetia*, <http://amnesty.org/en/library/info/EUR46/012/2012/en>).

Criminal defence lawyers in the North Caucasus who work on cases of individuals suspected of membership of armed are often themselves exposed to threats and human rights violations by law enforcement officials who often perceive them as an obstacle in their work which prevents them from fulfilling their functions. One lawyer in Dagestan, Omar Saidmagomedov, was killed by members of security forces in the streets of Makhachkala; the authorities reported his killing as a security operation but the lawyer's colleagues allege that he was extrajudicially executed in connection with his work, and have raised concern that the authorities are refusing to investigate these allegations.

Name: Magamed Abubakarov

Gender m/f: m

Further information on UA: 38/13 Index: EUR 46/007/2013 Issue Date: 27 February 2013