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**REGARDING DETENTION AND CRIMINAL PROSECUTION OF NADEZHDA  
NIZOVKINA AND TATIANA STETSURA**

We, the participants and partner organizations of the Human Rights House Network project “Electronic Human Rights Education for Lawyers”, express our concern regarding the latest detention and criminal prosecution of lawyer and journalist Nadezhda Nizovkina and lawyer Tatiana Stetsura.

According to the information we have received, Nadezhda Nizovkina and Tatiana Stetsura are criminally charged for inciting hatred against the Russian bodies: Federal Security Service (FSB), the Ministry of Interior, Russian Federal Penal Service (FSIN) and the Russian army (based on Article 282 of the Criminal Code of the Russian Federation). The ground for initiating the criminal case was two articles, co-written by Ms. Nizovkina and Ms. Stetsura. The first article addressed the deportation of Bakhtiar Umarov, Imam of the Muslim Buryatia community to Uzbekistan. The second one covered the case of journalist Elena Maglevannaya and a leaflet commemorating the Stalin deportations of people, timed to coincide with the Defender of the Fatherland Day.

Nadezhda Nizovkina and Tatiana Stetsura were detained in the courtroom of the Sovetskiy Court of Ulan-Ude on 31 December 2010. Action to support freedom of speech was planned to be held the same day in Ulan-Ude, but the action organizers Nadezhda Nizovkina and Tatiana Stetsura were summoned before a judge an hour before the action. Nizovkina and Stetsura were asked to give a written undertaking not to leave, and upon their refusal, they were immediately arrested. Three court sessions were held by today, and all of the requests to summon witnesses for the defense were denied. In addition, during the trial it was found out that Tatiana Stetsura was disbarred from practice for “certain violations” by the Bar Association of the Republic of Buryatia.

We have reasons to believe that the charges against Ms. Nizovkina and Ms. Stetsura are directly related to the performance of their professional duties. According to Article 16 of the Basic Principles on the Role of Lawyers, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990, the government must ensure that lawyers “are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference” and additionally “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.”

Both international and regional human rights instruments, binding the Russian Federation, ensure the right to freedom of expression. Article 10 of the European Convention of Human Rights (ECHR) and Article 19 of the International Covenant of Civil and Political Rights (ICCPR) provide every individual with a right to hold opinions without interference.

In addition, under Article 6(c) of the Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by the UN General Assembly on 9 December 1998, “Everyone has the right, individually and in association with others to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters.”

In line with the above, we underline that the prosecution of Ms. Nizovkina and Ms. Stetsura on the basis of their opinions and professional activities violates the guarantees enshrined in the ECHR, ICCPR, the UN Basic Principles on the Role of Lawyers and the UN Declaration on Human Rights Defenders. The Russian Federation is a party to the mentioned documents and therefore is committed to fulfill these obligations.

Concerned about the case, we therefore call upon you:

- To ensure a thorough and **impartial investigation** of the criminal charges brought against Nadezhda Nizovkina and Tatiana Stetsura, in order to prevent them from being prosecuted in connection with their professional activities and in violation of their right to freedom of expression;
- To ensure a **fair trial of the case**, conducted in compliance with the international standards, provided in Article 6 of ECHR and Article 14 of ICCPR;
- To **conform with all provisions** of the European Convention on Human Rights and the International Covenant of Civil and Political Rights, to which the Russian Federation is a State party, especially to respect and ensure the right to freedom of expression (Article 10 ECHR and Article 19 ICCPR), and right to fair trial (Article 6 ECHR and Article 14 ICCPR).
- To **comply with all the provisions** of the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

Sincerely,

Participants and organizers of the of the project "Electronic Human Rights Education for Lawyers"

Organizations implementing the project:

- Human Rights House Foundation (Norway, Switzerland)
- Belarusian Human Rights House in exile (Lithuania)
- European Humanities University (Lithuania)
- Human Rights House Baku (Azerbaijan)
- Helsinki Foundation for Human Rights (Poland)
- Russian Research Centre for Human Rights (The Russian Federation)
- Human Rights Centre (Georgia)
- Legal Education Society (Azerbaijan)
- Mission of the Union of Soldiers' Mothers Committee of the Murmansk Region and
- Southern Fleet (The Russian Federation)

Copies sent to:

- Committee for Interethnic Relations, Relations with Public, Religious Associations, and Information attached to the Presidential administration and the Government of the Republic of Buryatia
- UN Special Rapporteur on the Situation of Human Rights Defenders, Geneva
- UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Geneva
- UN Special Rapporteur on the Independence of Judges and Lawyers, Geneva
- Directorate General of Human Rights and Legal Affairs of the Council of Europe, Strasbourg
- Office of the Commissioner for Human Rights of the Council of Europe, Strasbourg
- The Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe, Warsaw

**About the Human Rights House Network ([www.humanrightshouse.org](http://www.humanrightshouse.org))**

The Human Rights House Network is a forum of cooperation between established and emerging Human Rights Houses, uniting 70 NGOs in 15 countries in Western Balkans, Eastern Europe and South Caucasus, East and Horn of Africa, and Western Europe. HRHN's aim is to protect, strengthen and support human rights defenders and their organizations. The Human Rights House Foundation, based in Oslo (Norway) and in Geneva (Switzerland), is the secretariat of the Human Rights House Network.

The Human Rights House Network project "Electronic Human Rights Education for Lawyers" brings lawyers from Azerbaijan, Belarus, Georgia and the Russian Federation together via online human rights training. It aims to strengthen the promotion, protection and enforcement of human rights under the rule of law by building the capacity of lawyers through training, networking and awareness-raising on direct application of human rights standards at the national level.