

URGENT APPEAL - THE OBSERVATORY

RUS 002 / 0411 / OBS 057
Arbitrary arrest / Release
Judicial harassment
Russian Federation

April 4, 2011

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), requests your urgent intervention in the following situation in the **Russian Federation**.

Description of the situation:

The Observatory has been informed by reliable sources about the arbitrary arrest and judicial harassment against Mr. **Igor Kalyapin**, head of the Inter-Regional Committee Against Torture of Nizhny Novgorod.

According to the information received, on March 31, 2011, Mr. Igor Kalyapin was arrested by the police along with other 53 peaceful protesters, at 6 p.m. at Freedom Square in the city center of Nizhny Novgorod. The arrests occurred during a public rally aiming at defending and promoting the freedom of assembly guaranteed by Article 31 of the Russian Constitution, within the framework of the Strategy 31¹.

Mr. Igor Kalyapin was taken to the Nizhny Novgorod police station and detained for approximately 4 hours before being released. During his custody, he was informed that he was charged of "participation in an unsanctioned demonstration". The first hearing was planned on April 1, 2011 before the Supreme Court of Nizhny Novgorod but was finally postponed to an unknown later date.

The Observatory is deeply concerned about the ongoing attempts to hinder the right of the human rights defenders to freedom of assembly. The Observatory also condemns the arbitrary arrest and judicial harassment against Mr. Igor Kalyapin and urges the Russian authorities to drop the charges against him since they aim at sanctioning his human rights activities.

Actions requested:

Please write to the authorities of Russian Federation, urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Mr. Igor Kalyapin as well as of all members of the Inter-Regional Committee Against Torture and all human rights defenders in the Russian Federation;
- ii. Immediately and unconditionally drop the charges pending against Mr. Igor Kalyapin as they are arbitrary and seem to only aim at sanctioning his human rights activities;
- iii. Put an end to any act of harassment - including at the judicial level - against Mr. Igor Kalyapin as well as against all human rights defenders in the Russian Federation, and ensure in all circumstances that they are able to carry out their legitimate activities without

¹

The strategy 31 is a series of civic peaceful protests in support of the right to freedom of assembly in Russia. Since July 31, 2009, the protests are held in Moscow on the 31st of every month with 31 days. Each action undertaken in the framework of Strategy 31 has been refused permission by the Russian authorities.

any hindrance and fear of reprisals;

iv. Comply with the provisions of the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, especially:

- its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”;
- its Article 5, which provides that “everyone has the right, individually and in association with others, at the national and international levels (a) to meet or assemble peacefully”;
- its Article 6 (b) and (c), which states that “everyone has the right, individually and in association with others [...] as provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms and [...] 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”;
- and Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;

v. Comply with the provisions of the Declaration of the Committee of Ministers of the Council of Europe on the protection of human rights defenders and the promotion of their activities, and in particular With Article 2.i), in which the Committee calls on member States to “create an environment conducive to the work of human rights defenders, enabling individuals, groups and associations to freely carry out activities, on a legal basis, consistent with international standards, to promote and strive for the protection of human rights and fundamental freedoms without any restrictions other than those authorised by the European Convention on Human Rights;;

vi. More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights and with international and regional human rights instruments ratified by the Russian Federation.

Addresses:

- Mr. Dmitri Medvedev, President of the Russian Federation, Ilinka Str, 23, Moscow, 103132, Moscow, Russian Federation, Fax:+ 7 495 606 5173 / 630 2408.
- Minister of Internal Affairs, Mr. Rashid Nurgaliev, ul. Zhitnaya, 16, 117049 Moscow, Russian Federation, Telegram: Rossiia, 117049, Moskva, Fax: + 7 495 637 49 25
- Minister of Foreign Affairs, Mr. Sergey Lavrov, Smolenskaya-Sennaya pl, 32/34, 121200 Moscow, Russian Federation, Telegram: Fax:+ 7 495 644 2203
- Permanent Mission of the Russian Federation to the United Nations in Geneva Av. de la Paix 15, CH-1211, Geneva 20, Switzerland, e-mail : mission.russian@ties.itu.int, Fax: +4122 734 40 44
- Embassy of the Russian Federation in Brussels, 31-33 boulevard du Régent, 1000 Brussels, Belgium, Fax: + 32 2 513 76 49.

Please also write to the diplomatic mission or embassy of the Russian Federation in your respective country.

Paris-Geneva, April 4, 2011



Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

To contact the Observatory, call the emergency line:

- E-mail: Appeals@fidh-omct.org
- Tel and fax FIDH + 33 (0) 1 43 55 20 11 / +33 1 43 55 18 80
- Tel and fax OMCT + 41 (0) 22 809 49 39 / + 41 22 809 49 29