



Herman Van Rompuy

President of the European Council

José Luis Rodríguez Zapatero

President of the Spanish Government

Presidency of the European Union

José Manuel Barroso

President of the European Commission

Catherine Ashton

High Representative for Foreign Affairs and Security Policy

Vice President of the European Commission

Brussels, 21 May 2010

Our Ref: B964

Dear Mr Van Rompuy,
Dear Mr Zapatero,
Dear Mr Barroso,
Dear Baroness Ashton,

Subject: EU-Russia Summit, Rostov-on-Don, 31 May 2010

In view of the EU-Russia Summit on 31 May 2010, Amnesty International would like to recall you our main concerns regarding the human rights situation in the Russian Federation. These issues were already presented to the Presidency, Council and Commission by Amnesty International ahead of the EU-Russia Human Rights Consultations on 28 April, in the attached briefing '*Human Rights in the Russian Federation*'.

We remain concerned that insufficient linkages are made between the issues discussed at the Consultations and the Summit, with the two dialogues treated by EU institutions as two separate processes. We therefore urge the EU to ensure that the most pressing concerns raised at the Human Rights Consultations are fed into the agenda of the Summit, in line with commitments made in the EU Guidelines on Human Rights Dialogues and the PSC Conclusions on human rights mainstreaming. The proposed launch of the 'Partnership for Modernisation' also gives the EU the opportunity to demonstrate its commitment to ensure consistency between human rights policy and other policy areas, such as trade, investment and energy.

The failure of the Russian authorities to fulfill their obligations under the International Covenant on Civil and Political Rights (ICCPR) is an overriding issue as outlined in the attached briefing. Amnesty International has documented on-going human rights abuses and the decline in freedom of expression is particularly alarming, with an increasing number of incidents of intimidation of those who try to exercise this right. Furthermore there are widespread human rights violations in the North Caucasus and investigations into violations of human rights abuses are not effective, resulting in widespread impunity.

Human Rights Defenders

The general situation of human rights defenders within the Russian Federation remains of great concern. The serious threats faced by human rights defenders, journalists and civil society activists has been underlined by the killings in 2009 of Stanislav Markelov, Anastasis Baburova, Natalia Estemirova, Maksharip Aushev, Zarema Sadulaeva and her husband Alik Dzhabrailov. The investigations into the murders of Anna Politkovskaya and the Dagestani politician and human rights activist Farid Babaev, and into the death of Magomed Evloev in previous years have not convincingly shown that justice can be achieved and have strengthened the perception that such crimes can be committed with impunity and moreover that human rights defenders, journalists and members of the political opposition do not find protection in Russia.

Aleksei Sokolov

Amnesty International wishes to highlight the particular case of Aleksei Sokolov, a human rights defender and head of the organization *Pravovaia Osnova*, which campaigns against torture and other ill-

treatment in prisons and detention centres. He was sentenced on 13 May 2010 to serve five years in a high security prison for theft allegedly committed in 2001 and for robbery allegedly committed in 2004. Information received gives rise to fears that the case against him might be fabricated. Sokolov's lawyer reported a number of violations of criminal procedure throughout the pre-trial and trial stages, raising concerns that he may not receive a fair trial on appeal. Sokolov has also suffered threats and ill-treatment while in detention.

Human Rights Violations in the North Caucasus

While the Russian authorities declared an end to the counter-terrorism operation in Chechnya in April 2009, small-scale counter-terrorism operations continue to be conducted frequently in Chechnya, Ingushetia and Dagestan. Reports indicate that human rights violations, such as arbitrary detention, ill-treatment or unlawful killings are committed during these operations. Amnesty International believes civilians may have been extrajudicially executed in one such anti-terrorist operation in the **Sunzhenskoi District** on or around 11 February 2010. Furthermore, members of human rights organizations, journalists and civil society activists continue to face threats, intimidation and murder.

Other individual cases

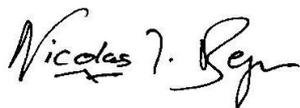
Amnesty International would like to briefly recall some other individual cases. **Andrei Yerofeev** and **Yurii Samodurov** are currently on trial for organizing an art exhibition called "Forbidden Art 2006" which resulted in accusations of inciting hatred against Orthodox and other Christians. There is a real danger that both men will be found guilty of the crime and sentenced to five years in prison. Amnesty International believes that the exhibition did not incite hatred and the organizers were exercising their right to freedom of expression. On 31 October 2009, **Zarema Gaisanova**, who worked for the Danish Refugee Council, was reportedly taken from her home by law enforcement officials. Zarema's mother was told by a representative of the Chechen prosecutor's office that her daughter was alive but that they did not have access to her. No further information about Zarema Gaisanova's fate and whereabouts has been disclosed.

Based on these observations, Amnesty International recommends to the EU to undertake the following actions:

- Ensure that the most pressing concerns raised at the EU – Russia Human Rights Consultations are integrated into the agenda of the EU – Russia Summit, including specific individual cases, to enable discussion and commitments to be made at the highest level;
- Raise concerns such as the decline of freedom of expression, human rights violations in North Caucasus and the climate of impunity relating to crimes committed against human rights defenders;
- Raise the case of Aleksei Sokolov to achieve guarantees that he will receive a fair trial on appeal and that further measures are taken to prevent torture and other ill-treatment;
- Request information from the Russian authorities on the whereabouts of Zarema Gaisanova and urge them to investigate other accusations of human rights violations in the North Caucasus, such as the counter-terrorism operation conducted in the Sunzhenskoi District.

We look forward to hearing from you as to the outcome of discussions at the Summit, and remain at your disposal to discuss these issues further. In the context of the ongoing review, we also look forward to continuing our discussions on how the EU can better utilize tools such as the Human Rights Consultations and other bilateral dialogues, including the Summit, in order to shape a coherent EU human rights policy towards Russia.

Yours sincerely,



Nicolas Beger
Director
Amnesty International EU Office